The Masons, the Antimasons, and the Pennsylvania Legislature, 1834-1836

In defense of American values and institutions, Antimasonry sought to strip away the cloak of secrecy which obscured the pernicious nature it imputed to Freemasonry. Avowedly political, Antimasonry exploited many devices to rouse opinion and win the popular support necessary for effective action; of these, none was more useful than the legislative inquiry. Wherever Antimasons gained influence such probes were demanded and usually won, but rarely, if ever, did they sustain the high political drama and constitutional conflict which marked the clash of Mason and Antimason before the Pennsylvania legislature in 1835-1836.


2 "Anti-masonry is defined to be opposition to masonry. The means by which it attempts to express and enforce that opposition is the ballot box." No. 198, Report of the minority of the Committee upon the subject of Anti-masonry, Read April 5, 1834, Journal of the Forty-fourth House of Representatives of the Commonwealth of Pennsylvania, II, 861. The Journal is hereinafter cited as JHR, followed by the years of the legislative session. The initial citation of a legislative report is by number and title, subsequent citations are by number only.


4 Ibid., 386-387, 392, 513, 522, 552-553; see, for example, An Investigation into Freemasonry by a Joint Committee of the Legislature of Massachusetts, Printed by Order of the House of Representatives, March, 1834 (Boston, 1834).

Flourishing in the confused context of Jacksonian politics, Pennsylvania Antimasonry in its early years was better able to muster substantial votes for its statewide candidates than to marshal its minority forces in the General Assembly for a legislative assault on Freemasonry. This situation changed abruptly, however, with the emergence of an astute and vigorous legislative leader, Thaddeus Stevens.

Elected in 1833 to represent his Adams County district in the House of Representatives, Stevens soon established himself as the floor leader of the Antimasons. In the early weeks of his first session, he succeeded in winning approval for a special committee to inquire into Masonic matters, particularly the order's influence in judicial proceedings, but he was unable to gain the power to subpoena witnesses or take testimony. An opposition motion to appoint a committee "with power to send for persons and papers for the purpose of inquiring into the evil of antimasonry and the extent of its unjust and wicked operation upon the community," a parody of the motion that Stevens had repeatedly offered, won his prompt support, coupled with an insistence that, as a matter of equity, his committee also be granted the right to subpoena. This agile maneuver was no more successful than his earlier efforts and, in the end, both committees were denied full investigative powers.
Determined to drive home the charge that the Democratic opposition was the Masonic party, Stevens, on March 20, 1834, brought in a bristling report from his special committee. It emphasized that the allegations against the Freemasons could be adequately investigated only with the subpoena power, a power his committee had been repeatedly denied, as, indeed, it had been denied the right to take testimony from such witnesses as might voluntarily appear before it. But, Stevens warned, a proper legislative inquiry could not be indefinitely delayed and "the identity of Pennsylvania and New York Masonry" must soon be established.

His report then proceeded to make the case against Freemasonry by relating the nature of the testimony the committee would have taken had it not been denied the right to take testimony. That there might be no suspicion of testimony induced by hostility, Stevens noted, only "adhering" Masons would have been called, and of these, none but men of the highest character, members of the House, members of the Cabinet, and even the Governor himself. "It was thought," the report continued, "that the papers in his possession might throw much light on the question, how far Masonry secures political and executive favor." The committee "might possibly" have deemed it necessary to call several "adhering" judges to determine the influence of Masonic ties on judicial proceedings. Stevens' astuteness in thus making much of little in his own committee was matched by his success in winning publication of a minority report from the committee investigating Antimasonry. That committee's majority reported, on April 1, that the allegations of the Antimasons were "too fanciful and unimportant to occupy the time of the Legislature or the money of the people," and that the "questions between masonry and anti-masonry are of a nature better fitted for discussions in the columns of the press, the halls of moral science, and the sacred desk or pulpit, than in the capital of legislation." While denying any special sympathy with Masonry, the majority denounced Antimasonry, an import from New England, "the land of notions," as a vicious threat to free government.

9 Ibid., Feb. 21, 1834.
10 JHR, 1833-34, I, 647; No. 174, Report of the Committee to Investigate the Evils of Freemasonry, Read March 20, 1834, ibid., II, 734-737.
in the Commonwealth and to the liberties of its citizens. "No facts have come to our knowledge which imputes or establishes guilt on any mason in Pennsylvania." Redress for crimes alleged to have been perpetrated in New York, the majority report contended, should be sought in the tribunals and legislature of that state. Finally, the report expressed full confidence in the ability of the judiciary to deal with any crimes that might be "committed by mason or anti-mason in Pennsylvania."  

On April 2, Stevens succeeded in amending a resolution providing for publication of the majority report to guarantee equal treatment for any minority report that might be submitted. Thus the House approved, sight unseen, publication of the document submitted by William Cromwell a few days later.  

Cromwell's report, almost four times as long as that submitted for the majority, rebutted the conclusion that criminal activity, Masonic or Antimasonic, could be dealt with through the ordinary course of judicial proceedings. Freemasonry, the minority warned, "has its own code of criminal law" and "private executioners bound by solemn oath to execute the sentences of its bloody tribunals." His review of the standard Antimasonic arguments concluded with a challenge:

Henceforth, there can be but two effective parties in this Commonwealth, the masonic and the anti-masonic. The votaries of the order, who love masonry better than their country, will adhere to the former; all others, no matter by what name they are now known will join the thickening ranks of anti-masonry, and aid in rescuing the country from the fangs of secret societies...  

In one legislative session Thaddeus Stevens had energized the Antimasonic minority, projected a plan of battle, and carried the fight to the Freemasons. His zealous leadership would keep "pure" Antimasonry alive in Pennsylvania long after it had been sacrificed to the exigencies of coalition politics in other states. The initial assault set the themes that would be rehearsed again and again in

11 No. 196, Report upon the subject of Anti-masonry, Read April 1, 1834, ibid., II, 856-859.  
12 Ibid., I, 763-774.  
13 No. 198, ibid., II, 861-874.  
14 McCarthy, 456.
petitions, speeches, and resolutions before the elections of 1835 gave Stevens his opportunity to wed rhetoric to power.\textsuperscript{16}

The incumbent Democratic Governor, George Wolf, had suffered a sharp decline in popularity, and his success in winning a third-term nomination at the Harrisburg convention, March, 1835, was widely attributed to sharp practice on the part of his managers. In protest, a dissident faction organized its own convention and proclaimed Henry A. Muhlenberg the legitimate candidate of the Pennsylvania Democracy.\textsuperscript{16}

The Antimasons, whose strength had ebbed despite Stevens' persistent advocacy in the legislature, were encouraged by the Democratic split. Their convention, rather reluctantly assembled in March, 1835, proved to be an enthusiastic and harmonious meeting. Joseph Ritner was the almost unanimous choice for Governor, and the "Exclusive" Antimasons, as the purists were labelled, were tractable enough to accept management of the campaign by a joint Antimason-Whig committee.\textsuperscript{17} In a year of Democratic division, this volatile alliance, founded on a shared antipathy to Jacksonianism, proved sufficient for victory; Ritner easily defeated his rivals, and the coalition won a substantial majority in the House of Representatives.\textsuperscript{18}

Uneasy in the alliance with the Whigs, which they saw as a

\textsuperscript{16} Antimasonic membership in the House increased to thirty-eight in the next session of the General Assembly. \textit{Pennsylvania Reporter}, Oct. 28, 1834. Numerous petitions for the investigation of Freemasonry served to keep the issue alive, \textit{JHR}, 1834-35, I. passim. Stevens, in a resolution identifying Freemasonry with monarchy and aristocracy—"Its whole tendency is to cherish a hatred of democracy and a love of aristocratic and regal forms and power," sought to win prohibition of "Masonic, Odd Fellows, and all other secret extra-judicial oaths, obligations, and promises in the nature of oaths." His effort, repeatedly renewed, was unsuccessful. In winning approval, 85-7, on second reading, his bill was so severely amended as to discourage all efforts at final passage. \textit{Ibid.}, I, 45-46, 436, 484, 513, 557-558. A similarly bland measure passed the Senate but was not acted upon by the House. \textit{Journal of the Senate of the Commonwealth of Pennsylvania, 1834-35}, I, 181, 308-310, 404-405 (hereinafter cited as \textit{Senate Journal}); \textit{JHR}, 1834-35, I, 615.

\textsuperscript{17} Snyder, 50-67; McCarthy, 467-471.

\textsuperscript{18} Snyder, 65-66. Joseph R. Chandler, editor of the \textit{United States Gazette} (Philadelphia), was a firm Whig and faithful Mason. His editorials illustrate the ambivalent relationship between Whigs and Antimasons; see particularly Feb. 27, Mar. 14, 27, Apr. 1, May 5, 9, 19, 28, Aug. 12, 14, 18, 27, and Sept. 4, 23, 25, 1835.

\textsuperscript{18} Snyder, 222. \textit{Niles Weekly Register} (Baltimore), XLIX, Dec. 5, 1835, 230, reported that the newly elected House included 45 Antimasons, 26 Whigs, 17 Wolf men, and 12 Muhlenberg men.
compromise with Freemasonry, some “Exclusive” Antimasons contemplated a link with the Muhlenberg Democrats. Hints of reciprocated interest by Muhlenberg men, however, had no enduring result as the Democrats moved to mend their factional split, and the moderate Antimasons succeeded in preserving the link with the Whigs.19

Stevens, the leading figure among the “Exclusives,” was responsive to the demands of practical politics. During the campaign, he had taken pains to identify as the targets of Antimasonry only those Freemasons who subordinated their obligations as citizens to “their secret oaths to a foreign power,”20 and, when the legislature convened, he labored to keep Antimasons, Whigs, and Bank Democrats cooperating effectively.21 The coalition organized the House, electing Ner Middleswarth, an Antimason, as Speaker.22

But, unwilling to sacrifice the essential elements of Antimasonry, Stevens continued to press for legislative action against the Freemasons. In his message to the General Assembly on December 15, Governor Ritner had struck a sharp Antimasonic note: “The people have willed the destruction of all secret societies, and that will cannot be disregarded.”23 Even earlier, Stevens had given notice of an offensive against “secret societies, bound together by secret and unlawful oaths,” and moved their suppression. A committee of three Antimasons, headed by Stevens, reported a bill on December 7. Sharp debate flared between Stevens and a committee colleague, Joshua Cox. Cox moved to fix the date for consideration of the bill sufficiently far in the future to insure time for an adequate investigation of Freemasonry, but Stevens, who contended that there was no immediate occasion for such an inquiry, won approval for prompt action.24

As the number of petitions for investigation increased, the Antimasons apparently resolved their tactical differences, and, on

19 Snyder, 68–71; R. Penn Smith to William Meredith, Nov. 30, 1835, Meredith Papers, Historical Society of Pennsylvania (HSP); Harrisburg Chronicle, Dec. 7, 17, 24, 1835; and Pennsylvania Intelligencer (Harrisburg), Jan. 11, 1836.
21 Snyder, 70.
22 McCarthy, 472; Middleswarth of Union County had been converted to Antimasonry in 1829. Ibid., 432.
24 Ibid., I, 11, 13, 14, 39; Harrisburg Chronicle, Dec. 10, 1835. George Mayer, Lancaster County, and Joshua Cox, Somerset County, were the other members.
December 19, Stevens moved to have such petitions referred to a committee, with power to send for persons and papers. On a routine voice vote, a five-man committee, with Stevens as chairman, was approved, and the long-sought subpoena power granted.25

The investigating committee took its first testimony on December 23, 1835. At a preparatory meeting the committee had agreed to adopt eleven “standing interrogatories,” designed to elicit information on the nature of the oaths used by Freemasons, Templars, and Odd Fellows, and the manner in which these were administered, and to confirm the information in such revelatory books as Bernard’s *Light on Masonry* and Allyn’s *Ritual.*26

The first witness, James Shedd, a lawyer from Dayton, Ohio, and a “renouncing” Mason, testified in great detail on the rituals, oaths, and obligations of Freemasonry. His testimony also linked the Freemasons to the disappearance of William Morgan and a conspiracy to frustrate the processes of justice in that New York case. But Shedd, a native of Massachusetts, who had lived in New York and Michigan before taking up residence in Ohio, claimed no direct knowledge of Masonic activity in Pennsylvania.27

With the subpoena power at his disposal, however, Chairman Stevens could seek authoritative information on that subject. He summoned approximately one hundred witnesses, including incumbent and former officers of the Grand Lodge of Pennsylvania, who were ordered to produce their books and records, and several incumbent and former District Deputy Grand Masters. Prominent political and judicial figures, Whig as well as Democratic, whose associations with Freemasonry varied in recency and strength, found themselves caught up in Stevens’ net along with men whose only apparent importance arose from their roles in Masonic or Odd Fellows’ activities. Conspicuous among the politicians were three

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25 *JHR*, 1835-36, I, 13, 71, 103. The committee included three Antimasons (Stevens, Cox, and Samuel Frew, Allegheny County), one Whig (Henry S. Spackman, Philadelphia), and one Democrat (John Huston, Fayette County). *Harrisburg Chronicle*, Jan. 18, 1836. See also Jesse Burden to John B. Wallace, Dec. 12, 1835, Wallace Papers, HSP.


men important in the previous state administration: Governor George Wolf; his Attorney General, former United States Senator George M. Dallas; and the Clerk of the House of Representatives, Francis R. Shunk. The ranking judicial personage in the state, Chief Justice John B. Gibson, was also reported to have been summoned.28

"Adhering" Masons did not share the "renouncing" Masons passion for self-revelation,29 and, by January 11, when the committee resumed its hearings, Stevens had received letters from Wolf and John Neilson, to whom some of the first subpoenas had been directed, denying the authority of the committee to compel them to appear.30 Governor Wolf's letter was particularly forceful. "I must," he wrote, "respectfully enter my solemn protest against a committee of the House, or the House itself, possessing any authority under the constitution to cause a citizen to appear and give evidence before such a committee, touching such a question." Citing specifically the right of "acquiring and possessing reputation"31 and the guarantee that "no human authority, can, in any case whatever, control or interfere with the rights of conscience,"32 Wolf declared that all constitutional means should be used to "guard against any and every infringement."

A precedent established in the case of the Freemasons, he argued, "may, in the course of time, reach every religious denomination or association." For his part, he said, he declined to serve as a "willing instrument" of the "idle curiosity," "superstitious prejudice," or "reckless demagogueism," which he saw as the "operating causes" of the projected investigation, or otherwise to abridge his rights "as a free citizen of the state of Pennsylvania" by appearing before the committee. Finally, he indicated to the committee that it might

28 Ibid., 916; Pennsylvania Reporter, Jan. 15, 1836; Harrisburg Chronicle, Jan. 25, 1836. Justice Gibson, a Past Grand Master, did not appear before the committee and was not listed among the delinquent witnesses.
29 Davis, 221-222.
30 No. 53, Report of the Committee appointed to investigate the evils of Freemasonry, relative to the refusal of certain Witnesses to appear before the said Committee, Read Jan. 12, 1836, JHR, 1835-36, II, 221; United States Gazette, Jan. 14, 1836; Pennsylvanian (Philadelphia), Jan. 15, 1836; Pennsylvania Reporter, Jan. 15, 1836. Other witnesses, including Judge Charles Shaler, of Pittsburgh, offered no explanation for their failure to appear.
31 Article IX, Section 1, Pennsylvania Constitution of 1790.
32 Article IX, Section 3, ibid.
find more knowledgeable witnesses, since he had not been actively involved with Freemasonry for almost twenty years.33

After reading Wolf's and Neilson's letters to the committee, Stevens proposed a resolution instructing the House to order them taken into custody and committed to the county jail. A more moderate proposal, that the facts of the case be referred to the House for whatever action that body might deem appropriate, was rejected, and the committee's report asked that the House issue attachments to compel the attendance of the delinquent witnesses.34

While awaiting House action, the committee continued to build its case with testimony from another "renouncing" Mason, Joseph M'Clelland of Pittsburgh. The impact of his testimony was lessened, however, when, under close questioning by Henry Spackman, the witness conceded that Masonic oaths were carefully qualified to preserve liberty of action in serious matters, and that he had never heard any subject of politics or religion discussed in a lodge.35

On the next morning, Stevens asked the House to issue the necessary attachments. His proposal sparked a heated debate, which ran intermittently from the morning of January 12 to late in the following afternoon.36

Supporters of the resolution based their case on the inherent powers of the House and the supremacy of the popular will, as expressed in petitions and election returns; its opponents argued, as Wolf had, that the committee's action had no constitutional or statutory authority, was in clear violation of the "Declaration of Rights" in the state constitution, and threatened an erosion of personal liberty.

Stevens urged quick action so that Governor Wolf's refusal might establish no precedent, but Spackman and William B. Reed of Philadelphia favored postponement and a careful examination of the legal issues involved. For Stevens, the issue was simple: "It was the most high-handed contempt of the House ever heard of, for witnesses to refuse to appear before they knew what was to be

33 No. 59, Letter from George Wolf, in reply to a Writ of Subpoena, requiring him to appear before the Committee appointed to investigate the evils of Freemasonry, Read Jan. 14, 1836, JHR, 1835-36, II, 245-247.
34 United States Gazette, Jan. 14, 1836; No. 53, JHR, 1835-36, II, 221.
35 No. 268, ibid., II, 833-845.
36 Ibid., I, 230-233.
required of them.” Such conduct was all the more reprehensible, he insisted, when it came from “those who had but lately wielded the administration of the law.” Henry Watts of Allegheny shared Stevens’ view that the witnesses’ refusal to appear could not be condoned. “The gentlemen called might appear, and if the questions propounded . . . were not considered by them proper, they then might throw themselves upon their constitutional right of conscience and refuse to answer,” but simply to refuse to appear was a grave contempt. Another Antimason, Samuel Frew, wondered whether the power of the secret societies would prove superior to the power of the legislature in Pennsylvania as it already had in New York. The House, he warned, should not appoint a committee and “then through imbecility refuse to sustain it.”

The first serious challenge to the resolution came from Charles M’Clure of Cumberland. While he stood ready to support the dignity of the House, M’Clure said, he also wished to respect the rights of the people. The resolution would establish an inquisition to pry into private concerns. The House was no more justified in investing a committee with the power to inquire into the Masonic order than it would be, he insisted, to give a committee the power to investigate his family affairs. M’Clure railed against vindictiveness: “Some members appear to think that it is not enough that certain gentlemen . . . have been legislated out of office, but they must also be legislated out of character.”

A committee stalwart, Joshua Cox, thrust back at M’Clure. After first questioning the motives and independence of the members who attacked the committee’s legality, Cox then referred to the many petitions received by the House, “praying for the removal of an acknowledged evil—acknowledged to be an evil by a large majority of the votes of this state at the late election.” If you deny power to the legislature, he asked, where would concerned citizens find relief. Cox argued further that it was useless to create committees if obedience to their orders could not be compelled, and cited a series of precedents intended to show that House investigating committees had always possessed the power now challenged as unconstitutional.

37 Harrisburg Chronicle, Jan. 14, 1836.
Joining the counter-attack, Stevens expressed surprise that the resolution would be opposed for the reasons given. "He thought that in this country no man was too high for the reach of the law, yet it would seem that the masonic order was—for it found friends here to protect and defend it against all its foul trickery—nay they go further and say this House has no right to investigate its affairs be they what they may." He chided M'Clure for borrowing language from Governor Wolf's "vile and insulting" letter, and cited an English precedent involving several noblemen called to give evidence before Parliament: "They did not think of such a thing as refusing to come." One of them, Stevens added, was sent to jail, and no one questioned Parliament's right to do so. "If we let Geo. Wolf go, every small cur of the masonic kennel will demand . . . the same privilege."

But John Hill of Westmoreland sensed a dangerous precedent in the making. He questioned whether the Pennsylvania constitution or any statute could be so construed as "to authorise the arrest and confinement of the peaceable unoffending citizens of this commonwealth, merely because they refuse to appear as witness against a society of which they are themselves members." Wolf's refusal to appear, Hill argued, was fully justified by the constitutional guarantee against self-incrimination. To suggest that the Governor should have appeared before the committee since he could not have known whether he would be asked to give evidence against himself was merely to play with words. The nature of the inquiry was clear from the subpoena.

The strongest legal arguments against the resolution came from Josiah Hall of Warren: "I have examined the constitution and find that it gives no authority to this House, to issue either subpoena or attachment in any case. The Legislature has passed no law authorizing it and there is no standing rule of the House giving the power." Since "our legislative acts must all be in obedience to the Constitution," Hall contended, "the whole action is . . . void from the beginning. Disobedience to the subpoena was therefore no contempt to the committee or to the House who created it."

He also argued that to legislate upon the subject of Masonry would set a precedent by which valuable religious institutions might
be attacked and overthrown by an excited populace. "The history of Pennsylvania," he concluded,

has never been stained by persecutions for religion, nor hanging for witchcraft. . . . Great talents misdirected, have done great mischief in every age of the world, and if cruel and persecuting laws are made to stain the pages of the history of Pennsylvania at this enlightened age, it will owe its origin to misdirected appeals to the passions of this Legislative body. 38

Perhaps the most cogent arguments in support of the resolution were offered in a lengthy address by William B. Reed, who contended that the House's power to investigate was co-extensive with its power to legislate, restricted only by the "single constitutional limitation that no witness can be compelled to criminate himself," and that the powers of subpoena and attachment were its inevitable corollaries.

Reed, who claimed open-mindedness on the Masonic issue, could perceive no constitutional basis for Governor Wolf's protest. The opponents of the resolution, he said, tended to confuse the merits of the inquiry with the constitutional power to inquire. On any less emotional issue the obligation of witnesses to respond would be generally recognized, as would the consequent power to attach.

He continued with a strong statement of the supremacy of legal processes over personal religious or ethical obligations. Citing adverse decisions of the Pennsylvania Supreme Court with respect to the sanctity of the Jewish Sabbath observance and the Roman Catholic "seal of the confessional," 39 Reed asked if it could be asserted that obligations arising from Masonic oaths conferred a more privileged position.

Reed expressed regret that the committee had seen fit to summon Governor Wolf, "while there were so many witnesses uncalled who would have given as strong testimony." Although he deplored Wolf's political principles and rejoiced in his defeat, Reed said that "neither he nor his constituents wished to pursue a conquered foe

38 Extensive reports of the remarks of Cox, Hall, Hill, M'Clure, Stevens, and others, are printed in the Pennsylvania Reporter, Jan. 22, 1836.
39 The Pennsylvanian, Jan. 23, 1836, seized upon Reed's examples to dramatize the threat to religious liberty implicit in the Antimasonic "inquisition."
further," but, without reference to personal considerations, he would vote to assert the authority of the House. The House voted overwhelmingly to approve the committee's resolution, 59–26.

When the committee convened in the Supreme Court chamber on the evening of the 13th, three witnesses—Francis R. Shunk, Thomas C. Miller, and Robert G. Harper—respectfully declined to be sworn. In an atmosphere electric with confrontation, Shunk read a statement explaining his refusal:

The undersigned . . . is a Freemason. He is under no engagements as a Freemason that interfere, in the remotest degree, with his duties as a citizen, his fealty to the constitution, or submission to the laws of his country. In the exercise of one of the plainest rights secured by the constitution, he has joined the masonic institution. In doing this, he has violated no law, but exercised his own rights without interfering with the rights of others.

He denied knowledge of any of the "evils" ascribed to Freemasonry in the public statements of Chairman Stevens, but his central objection was to the committee's usurpation of the judicial function: "The limits of executive, legislative, and judicial power, are too distinctly marked, and the right of trial by jury is too firmly secured by the constitution" for him to accept the committee's authority to compel him to answer under oath questions pertaining to his Masonic obligations. As Shunk finished his statement, the spectators burst into enthusiastic applause. Stevens, obviously irritated by the outbreak, threatened imprisonment should such disorder be repeated.

By the afternoon of the next day, the stage was set for a confrontation between Stevens and Wolf before an overflow crowd.

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40 Reed's speech is printed in the Pennsylvania Reporter, Jan. 19, 1836. Reed was identified with Nicholas Biddle and the Bank of the United States. Snyder, 93; see also Roy F. Nichols' sketch of Reed in the Dictionary of American Biography (New York, 1935), XV, 461–462.
41 JHR, 1835–36, I, 234–235. Eight of the negative votes came from counties in which Ritner had won pluralities in the gubernatorial election, four came from Muhlenberg counties, and the balance from areas carried by Wolf.
42 Thomas C. Miller, a Democrat of Gettysburg, later played an important role in the "Buckshot War." Snyder, 135n; Harrisburg Chronicle, Jan. 25, 1836.
43 United States Gazette, Jan. 16, 1836.
44 Ibid., Jan. 29, 1836.
which had gathered to see the clash of two strong-willed men, each determined not to yield on what he perceived as an issue of fundamental importance. The encounter, when it came, was muted. Stevens asked Wolf to be sworn to give testimony on the subject of Masonry. The former Governor, reportedly determined to risk imprisonment, respectfully declined to take the oath, citing the grounds stated in his initial protest to the committee. He asked that it be made a matter of record that he appeared not voluntarily but only in consequence of the application of force. Stevens politely informed Wolf that the committee would take no immediate action against him, but that his refusal to be sworn would be reported, with a recommendation that he be brought before the bar of the House to answer for his contempt. Governor Wolf rose, bowed respectfully to the committee, and left the room.

The Harrisburg correspondent of the *Pennsylvaniaian* speculated that the “wanton persecution” of Wolf would generate such sympathy in his favor that the breach in the Democratic Party would be completely healed, but, in the House’s first reaction to the Stevens-Wolf encounter, an effort to force a reconsideration of the attachment resolution, prominent Muhlenberg men continued to withhold support and the motion failed, 52–29.

To the surprise of many, the committee did not at once seek a contempt citation against the former Governor. Sensitive to the appearance of persecution, it delayed action against Wolf until after the officers of the Grand Lodge, already under subpoena, made their appearance on the following Monday. If they refused to be sworn, and this was the general expectation, the whole group could then be brought before the House at the same time.

As tension mounted in Harrisburg, the excitement began to be felt elsewhere in the state. George M. Dallas thought “men’s minds . . . heated beyond anything” he had ever seen. In Lancaster, on his way to appear before the committee, Dallas had received assurances of support:

46 *Pennsylvania Reporter*, Jan. 15, 1836; *United States Gazette*, Jan. 18, 1836; *Pennsylvaniaian*, Jan. 13, 18, 1836.


A man . . . came up to me . . . and told me that he would hand me at a moment’s warning 500 men—that he would rely upon my prudence not to ask them if they were not wanted:—but that if I wrote him by express a single word, they should march in one hour after he received it. This sort of news is brought from all the neighboring counties.49

On Monday afternoon, January 18, when the time set for meeting arrived, the committee transferred its session from the Supreme Court chamber to the House of Representatives to accommodate the crowd of spectators, and even this larger room was crowded. The first witness, Joseph R. Chandler, Whig editor, Ritner supporter, and newly elected Grand High Priest of the Royal Arch Masons, was asked to step forward and be sworn. When handed the Bible, Chandler indicated his unwillingness to take an oath without being informed of its obligations. Stevens recited the words of the oath, but the witness asked to have it reduced to writing. Chandler then acknowledged that the language of the oath was not what he had anticipated, but to take it would be to admit the right of the committee to make the investigation and its power to decide the propriety of any question which might be raised. He asked permission to state his reasons for declining the oath in the form of a protest. Stevens readily granted his request.50

In his protest, Chandler denied the constitutional right of the committee, or the House of Representatives itself, to require him to answer under oath questions pertaining to Freemasonry. He observed that, out of respect for the House, he had come to Harrisburg at considerable personal and professional inconvenience in response to that body’s simple summons, which he might easily have avoided. “The coming involved only a risk of health, an increase of solicitude, a deprivation of comforts and considerable pecuniary sacrifice. But the assumption of the oath would be a violation of my conscience, in giving up a sacred right, received from the past, to be handed down to a coming generation.”51 Chandler was told that his refusal would be reported to the House.

49 George M. Dallas to [Henry D. Gilpin?], Jan. 18, 1836, Dallas Papers, HSP.
50 No. 268, JHR, 1835-36, II, 855; United States Gazette, Jan. 21, 1836; Pennsylvanian, Jan. 21, 1836; Harrisburg Chronicle, Jan. 18, 1836, contains a sharply etched description of the committee’s personnel and procedures.
51 United States Gazette, Jan. 21, 1836.
The chairman next called the officers of the Grand Lodge of Pennsylvania,\(^{62}\) starting with T. B. Freeman, the new Grand Master, also a Ritner supporter,\(^{68}\) who declined to be sworn and began to read a protest. In poor health, he became so weak that he was unable to complete his reading, but a copy of his statement was accepted by the committee.\(^{54}\) The other officers of the Grand Lodge appeared in turn, declined to be sworn, refused to produce subpoenaed books and papers, and read their protests.\(^{85}\)

Josiah Randall, Past Grand Master, was then called. In an eloquent protest, the distinguished Philadelphia lawyer and prominent Whig explicitly denied the sort of political and judicial influence imputed to the Masonic order by its enemies, and refused to undergo any compulsory examination before the committee.\(^{66}\)

Although there had been occasional moments of strain in the afternoon's proceedings, both the witnesses and the chairman had observed the proprieties and had couched sharp disagreements in respectful language. The next witness, George M. Dallas, the immediate Past Grand Master, was determined, however, not to appear subservient. With the committee grouped in front of the Speaker's Chair, Dallas stood at a member's desk, some distance away, and answered the chairman's call in a clear and audible voice. Not satisfied with the response, Stevens repeated the call and asked that the witness come "before" the committee. "I am near enough," Dallas replied, "I can hear very well where I am." The chairman was insistent: "Mr. Dallas is requested to come before the committee." After a resolution was hastily offered and approved, Dallas, finally satisfied that the request reflected the will of the

\(^{62}\) No. 85, Report from the Committee to whom were referred the petitions of sundry citizens of the Commonwealth, praying for an investigation into the evils of Freemasonry and other Secret Societies, Read January 20, 1836, \(JHR\), 1835-36, II, 386-387.

\(^{63}\) All identifications of officers of the Grand Lodge are from the Reprint of the Minutes of the Grand Lodge of Free and Accepted Masons of Pennsylvania, Joshua L. Lyte, comp., Vol. VI, 1828 to 1839 (Philadelphia, 1901). See also the Pennsylvania Intelligencer, Jan. 28, 1836.

\(^{64}\) United States Gazette, Jan. 21, 1836.


\(^{66}\) No. 268, \(JHR\), 1835-36, II, 856; United States Gazette, Jan. 21, 1836. Randall's protest is printed in the same issue. See also Pennsylvania Intelligencer, Jan. 28, 1836.
committee and not merely of its chairman, stepped without hesitation to the designated spot.\(^57\)

Like the other witnesses before him, Dallas refused to take the oath. Instead, he read a protest, eloquently rehearsing his attachment to the "free spirit" of Pennsylvania's institutions, his attraction to Freemasonry in emulation "of the wisest and truest patriots, of Dr. Franklin, of General Washington, of General Warren, of General La Fayette," and his conviction of the complete inconsistency between the evils alleged against the Masonic institution and the "enlarged philanthropy" which it actually fostered.

He argued that the rights safeguarded in Article IX of the Pennsylvania Constitution, the so-called "Declaration of Rights," were beyond the reach of legislation. "We have no 'omnipotence of parliament.'" To waive these rights, "on an occasion so ostensible as this," he contended, would be to do mischief to the interests of the community. "I will not consent to hold my rights and liberties of private intercourse, private sentiment, and private business, subject to . . . the changeable majority, or the ideal policy of any body of men whatever."

Dallas underlined the private nature of the Society of Freemasons in Pennsylvania, and asserted that it would be equally constitutional to investigate the evils of other unincorporated voluntary associations, "the Society of Friends, or other Societies of Religion . . . societies of politicians . . . or other societies of convivial gaiety." He viewed the proceedings of the committee "as utterly inconsistent with the tenor and terms of the Constitution, as its expansion to similar cases would be fatal to freedom."

Finally, he rested his case on the dictates of personal honor. Having voluntarily assumed the obligation of Masonic secrecy, he said, "I cannot, without a sense of treachery and degradation which would embitter all my future life, prove false to my promise. Better by far endure the penalties of alleged contumacy, be they what they may."\(^58\)

As Dallas read his protest, several gentlemen expressed audible approval, one by stamping his feet. The chairman asked who had

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\(^57\) George M. Dallas to [Henry D. Gilpin?], Jan. 18, 1836, Dallas Papers; United States Gazette, Jan. 21, 1836. The quotations are from No. 268, JHR, 1835-36, II, 856.

\(^58\) Dallas' statement is printed in several places. See United States Gazette, Jan. 25, 1836.
made the noise. A Mr. Read, who was standing behind the committee, said, "It was me, sir." Stevens summoned the Sergeant-at-Arms and told Read that, if the disturbance were repeated, he would be ordered into custody. When he attempted to expostulate, Read was peremptorily silenced by the chairman: "Mr. Read, the committee do not wish to hear a single word from you." 59

That evening there were reports that the Antimasons were alarmed at the course of events and feared that the House would refuse to sustain them, 60 but on Tuesday afternoon the committee was again in session. The first witness, the Reverend William T. Sprole, a Grand Deacon, proved troublesome. He refused to take the oath and read a strongly-worded protest, questioning the motives of the probers as well as their procedures. He spoke of being "dragged from the altar" and thrust unwillingly into the political arena. "Gentlemen," he declared, "if you are willing to convert yourselves into a modern Jugernaut [sic], ROLL ON!" 61 At the word "Juggernaut," Stevens struck a resounding blow on the desk, leaped to his feet, and halted the proceedings. He told Sprole that the committee would not listen to such language, and ordered him to be seated. Sprole sought leave to explain, but Stevens retorted: "Not one word, sir." When the witness finally fell silent, the committee upheld Stevens' action in interrupting his statement, and refused to allow him to continue. 62 In the Monday and Tuesday sessions, eleven other prominent Freemasons from various parts of the state had also declined to be sworn, and most had read or filed statements of protest. 63

The necessary record made, the committee resolved to report the recusant witnesses, as they were designated in official language, to the House. 64 On the following morning, January 20, Stevens appeared for his committee. He read the names of the witnesses

59 Ibid., Jan. 21, 1836; American Sentinel, Jan. 21, 1836; No. 268, JHR, 1835-36, II, 856.
60 The “Mr. Read” was probably Almon Read, a member of the Pennsylvania Senate from the Bradford, Tioga, Susquehanna district.
61 Sprole’s statement is printed in the United States Gazette, Jan. 22, 1836. Sprole was pastor of the German Reformed Church, Race Street, Philadelphia.
62 No. 268, JHR, 1835-36, II, 857-858; United States Gazette, Jan. 21, 1836; Pennsylvanian, Jan. 22, 1836; American Sentinel, Jan. 21, 1836.
63 No. 268, JHR, 1835-36, II, 856-858.
64 United States Gazette, Jan. 21, 1836.
who had declined to be sworn or produce subpoenaed documents, and alluded to their statements of protest, concluding with the following resolution:

Resolved, That the Sergeant-at-Arms... be... directed to take into his custody all the above named persons and bring them to the bar of this House, to answer for contempt committed against this House, in refusing to be sworn or affirmed to testify before said committee, and that the Speaker issue his warrant accordingly.\(^{65}\)

Benjamin Bidlack of Luzerne at once moved to amend the committee's resolution to permit the witnesses to be summoned to appear rather than be taken into custody by the Sergeant-at-Arms.\(^{66}\) Bidlack argued that, since the precedents gave no hint as to the proper course to pursue, a simple summons would give appropriate respect to the personal liberties of the witnesses without imperiling the dignity of the House; attachments could be authorized later if the witnesses failed to honor the initial summons.\(^{67}\)

Denounced by Stevens in strong language, the amendment failed, 65-29.\(^{68}\)

After further debate, M'Clure offered an amendment asserting that the witnesses who refused to be sworn "are sustained by the constitution and laws of the state, and that the committee be directed forthwith to discharge them, and that the committee be discharged from the further consideration of the subject." His amendment was rejected, 53-36. The House then approved Stevens' resolution, 47-43.\(^{69}\)

George M. Dallas thought that the Antimasons were embarrassed by the narrow margin of victory, and that Stevens, with the Bank bill as a weapon, would attempt to rally the Whigs for a more decisive vote on the next day.\(^{70}\)

Other Democrats were convinced that the Whigs had bartered support of the "inquisition" for the Antimasonic votes necessary to

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\(^{65}\) No. 85, \textit{JHR, 1835-36}, II, 386-387.

\(^{66}\) \textit{Ibid., I}, 289.

\(^{67}\) \textit{Pennsylvania Reporter, Jan. 26, 1836}.

\(^{68}\) \textit{United States Gazette, Jan. 22, 1836}; \textit{JHR, 1835-36}, I, 290. Supporters of greater leniency combined with supporters of more severe treatment to produce this resounding defeat.

\(^{69}\) \textit{Ibid., I}, 291-293.

\(^{70}\) George M. Dallas to Henry D. Gilpin, Jan. 20, 1836, Dallas Papers. "One thing is certain," Dallas wrote, "our stand has destroyed anti-masonry—and probably whiggism with it."
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win a state charter for the Bank of the United States. The introduction of Stevens' Bank proposal, buried in an omnibus bill, was taken as final confirmation of these long-held suspicions.\textsuperscript{71}

Early on the morning of January 21, the Sergeant-at-Arms toured the hotels and lodging houses of Harrisburg, arrested the recusant witnesses in the name of the House of Representatives, and brought them, in what J. R. Chandler whimsically described as "a Masonic procession," to the Canal Commissioners room in the Capitol building.\textsuperscript{72} When the House opened its session, the Speaker was able to announce that the Sergeant-at-Arms had the recusant witnesses in his custody.

Stevens immediately moved a resolution directing the Speaker to call George Wolf and the other witnesses and require each of them to be sworn. His resolution was adopted, 52–40. The Speaker, thereupon, called Wolf, read the text of the oath, and asked if he was ready to be sworn. "I most respectfully decline," Wolf responded, "for the reasons stated in my letter to the committee. . . ." The other witnesses were called, respectfully refused to be sworn, and referred the Speaker to their statements of protest.\textsuperscript{73} The witnesses had decided to take a firm stand and risk the consequences.\textsuperscript{74}

After some maneuvering by M'Clure and Bidlack, Stevens successfully moved to have the witnesses held in the custody of the Sergeant-at-Arms, "until otherwise ordered by the House," and, citing their persistence in refusing to be sworn, proposed a punitive resolution ending with: "Resolved, That the said witnesses who were brought to the bar of this House on attachment, be committed to the custody of the Sergeant-at-Arms until delivered by due course of law.\textsuperscript{75}

A substitute resolution, promptly offered by Spackman, called upon the House to "forbear to punish the contempt committed against the House," and to discharge the "witnesses . . . from the custody of the Sergeant-at-Arms forthwith." A further dilution, un-

\textsuperscript{71} Ibid.; Pennsylvanian, Jan. 23, Feb. 2, 1836; Pennsylvania Reporter, Jan. 22, 1836. The omnibus bill was introduced on January 19.

\textsuperscript{72} United States Gazette, Jan. 23, 1836.

\textsuperscript{73} JHR, 1835–36, I, 302–304.

\textsuperscript{74} George M. Dallas to Mrs. George M. Dallas, Jan. 20, 1836; George M. Dallas to Henry D. Gilpin, Jan. 22, 1836, Dallas Papers.

\textsuperscript{75} Pennsylvania Reporter, Jan. 26, 1836; JHR, 1835–36, I, 304–305.
successfully proposed by Darius Bullock of Bradford would have eliminated all reference to contempt.\textsuperscript{76} Finally, an unwavering Anti-mason, Francis Karns of Allegheny sarcastically moved "that the Speaker be instructed to apologize to the prisoners for the crime of having called them there \textit{i.e.,} before the bar of the House." His motion was not received.\textsuperscript{77}

M'Clure then offered another exonerating amendment: "In the opinion of this House the witnesses now before it have refused to be examined from a conscientious sense of duty, and not from any disrespect or contempt to this House: and therefore, that they be forthwith discharged." It was lost by a narrow margin, 44-42.\textsuperscript{78} Efforts to excise the contempt charges having failed, William B. Reed offered an amendment which would vindicate the power of the House (carried 67-21)\textsuperscript{79} and prescribe a specific punishment for the recusant witnesses—a reprimand at the bar of the House,\textsuperscript{80} on which action was delayed pending a possible defense by the witnesses.\textsuperscript{81}

Convinced that it would be tactically unwise to offer a detailed defense, the witnesses designated George M. Dallas to make a brief statement on their behalf.\textsuperscript{82} Calmly and with great dignity, Dallas offered assurance that the witnesses intended no disrespect to the House, referred the House to the statements previously read for the constitutional position on which the witnesses' refusal rested, and confided their case to the tribunal of public opinion.\textsuperscript{83} The witnesses were then remanded to the custody of the Sergeant-at-Arms, there to remain until the further order of the House.\textsuperscript{84}

The House proceeded to a vote on the second part of Reed's resolution. As the roll was called, it became apparent that even some staunch Antimasons would not vote to reprimand. When Speaker Middleswarth was called, the veteran Antimason looked

\textsuperscript{76} Ibid., I, 305.
\textsuperscript{77} United States Gazette, Jan. 23, 1836; Pennsylvania Reporter, Jan. 26, 1836.
\textsuperscript{78} Ibid., I, 308-309. Dallas privately condemned the gross mismanagement of the floor fight by the committee's opponents. George M. Dallas to Mrs. George M. Dallas, Jan. 21, 1836, Dallas Papers.
\textsuperscript{79} JHR, 1835-36, I, 310-311.
\textsuperscript{80} Ibid., I, 309-310.
\textsuperscript{81} Ibid., I, 311.
\textsuperscript{82} George M. Dallas to Henry D. Gilpin, Jan. 21, 1836, Dallas Papers.
\textsuperscript{83} United States Gazette, Jan. 23, 1836; Pennsylvania Reporter, Jan. 26, 1836.
\textsuperscript{84} JHR, 1835-36, I, 311.
Dallas squarely in the eye and spoke a firm "No!". "He will vote to punish, but not to shame," the witnesses' spokesman wrote. When the tally was completed, only 40 votes had been cast in favor of the resolution, with 50 recorded against it.

The next morning, Friday, January 22, Spackman, having failed to win support for the substance of his original proposal, moved a replacement for the rejected second part of the Reed resolution: "That the witnesses who have refused to be sworn or affirmed to give evidence before the House or its committee . . . be discharged from the custody of the Sergeant-at-Arms forthwith." Stevens' efforts at delay failed, and the Spackman motion carried easily, 55-37.

That afternoon, in an effort to rally his faltering forces, Stevens deployed his parliamentary and congressional precedents and trumpeted the traditional Antimasonic themes. The Rev. W. T. Sprole, he thundered, was not "torn from the horns of the altar" to come to give testimony in Harrisburg, but from "the Lodge where HE HAS BEEN VOTING MONEY TO SCREEN THE MURDERERS OF MORGAN FROM THE JAWS OF JUSTICE!"

But, try as he would, he could not win back the votes that he needed. The Reed resolution, as amended by Spackman, won final approval, 50-43. The recusant witnesses were discharged.

Despite a torrent of impassioned oratory and an effort to rally support for the contempt resolution as an administration measure, Stevens had lost. The alleged "Bank deal" had not even delivered the votes of the Philadelphia Whigs. By the time the committee met on Saturday, the excitement had collapsed. There were no overflow crowds; indeed, there was no crowd at all—the committee

86 George M. Dallas to Henry D. Gilpin, Jan. 21, 1836. Dallas also inveighed against the "insolence" of William B. Reed. Dallas described Reed as a "contemptible braggard" and a "Sneak," George M. Dallas to Mrs. George M. Dallas, Jan. 21, 1836, Dallas Papers.
87 JHR, 1835-36, I, 311-313.
88 Ibid., I, 315-317; see also the speech by Joshua Cox printed in the Pennsylvania Intelligencer, Feb. 4, 1836.
89 Harrisburg Chronicle, Jan. 25, 1836; United States Gazette, Jan. 25, 1836. The quotation is from the American Sentinel, Jan. 25, 1836.
90 JHR, 1835-36, I, 318-319.
91 An analysis of twelve important roll call votes on the Masonic witnesses indicates that, with the probable exception of William B. Reed, the Bank issue was not a significant influence on voting behavior, particularly after the initial vote to attach George Wolf. Despite the Whig failure to support the contempt proceedings, Antimasons voted solidly for the Bank.
had its meeting room quite to itself.\textsuperscript{91} The chairman asked his colleagues to consider whether the investigation should go forward. It was obvious, he told them, that the House would not sustain the committee if further instances of contempt should occur. Therefore, it was unjust to detain the other subpoenaed witnesses. Presumably, they would refuse to testify, but if they should testify, they would be considered voluntary witnesses, and "be subjected to the vilification and perhaps persecution of others." He did not wish to mislead the people into a belief that evils had been investigated when in fact they had been concealed. "When different gentlemen come forward in bland or rude manner, and say they won't obey the laws, the rude man is the most excusable," a piqued Stevens advised his colleagues, "for he can plead ignorance."\textsuperscript{92} The committee did continue its investigation, with further public sessions reported on January 28 and March 3, in which three "renouncing" Freemasons testified about the political obligations of Freemasons and the influence of Freemasonry on the administration of justice.\textsuperscript{93} Aware that their strategy of resistance to the committee's authority had denied them the opportunity to sanction by oath their statements on the benevolent nature of Freemasonry, the recusant witnesses, once discharged, published a sworn statement. They justified their action with respect to the committee as a defense of civil liberties, and, with the reservation that several of them had long since ceased to participate in Masonic affairs, offered their common testimony to "remove erroneous impressions and to dispel ungenerous suspicion." There followed a brief but specific denial of the essential Antimasonic allegations against the institution of Freemasonry and its adherents.\textsuperscript{94}

\textsuperscript{91} United States Gazette, Jan. 28, 1836.
\textsuperscript{92} No. 268, JHR, 1835-36, II, 858-859.
\textsuperscript{93} Ibid., 859-866; Pennsylvania Telegraph, Mar. 12, 1836. The committee also solicited a deposition, dated June 2, 1836, at Cornwall, Conn., from a certain Ezekiel Birdseye, who provided a detailed account of a Masonic attempt to coerce him into withdrawing a suit he had brought against a fellow Mason, to win liberty for a free Negro who had been kidnapped into slavery. The incident had occurred in Alabama in 1828. The free Negro's early residence in Philadelphia was the only connection with Pennsylvania. No. 268, JHR, 1835-36, II, 867-869.
\textsuperscript{94} Harrisburg Chronicle, Feb. 4, 1836. The statement is dated, Harrisburg, Jan. 23, 1836, with a number of signatures added in Philadelphia on January 26. The thirty subscribers included several witnesses who had been discharged before being required to give testimony and one who had not responded to the subpoena because of illness.
Although Stevens had suffered a major and embarrassing defeat, his Antimasonic efforts were not ended. On January 29, the House began its consideration of Stevens' bill for the suppression of secret societies, bound together by secret and unlawful oaths. The bill met strong opposition. The crucial third section, relating to Freemasonry as a cause for challenge to judge and jurors, which the Whigs found unacceptable, was first rejected and then accepted on reconsideration. On February 27, the much-amended bill was finally approved, 46-41, and sent to the Senate.96

The coalition was in disarray. Whigs vehemently denounced the extreme Antimasons and charged that they sought to undermine the Ritner administration.96 In a House speech on March 5, Stevens acknowledged the minority status of Antimasonry, and proclaimed his determination to continue the fight until the people perceived that there was "no other question than Masonry and Antimasonry."97

If the Antimasons had strained to muster bare majorities in the House, where reportedly the coalition had been so powerful, they had but slight chance of success in the Senate. Thomas S. Cunningham, a Muhlenberg Democrat from the Erie, Crawford, Mercer district, had been elected Speaker with Antimasonic support,98 but Democrats outnumbered Whigs and Antimasons by a generous margin and, after weeks of intricate maneuvers, the House bill was emphatically rejected.99

One last salvo remained to be fired in the campaign of 1835-1836, the report of the investigating committee, submitted on June 13. One hundred pages in length, it summarized the testimony taken by the committee, detailed the rituals and practices of the Odd Fellows,100 assayed the implications of the evidence, and evaluated the behavior of the House of Representatives.

96 Pennsylvaniaian, Mar. 1, 1836; United States Gazette, Jan. 28, Mar. 4, Apr. 5, 1836.
97 Harrisburg Chronicle, Mar. 10, 1836.
98 Senate Journal, 1835-36, I, 6.
100 John Potts, an Odd Fellow from Philadelphia, refused to testify before the committee and filed a statement of protest on January 19. Pennsylvaniaian Reporter, Jan. 29, 1836. A "renouncing" Odd Fellow testified at length before the committee on January 11. Pennsylvaniaian, Jan. 15, 1836. See also No. 268, JHR, 1835-36, II, 845-848.
The testimony, the report asserted, had confirmed the authenticity of the published exposés of “the forms, ceremonies, oaths and obligations of Masonry.” It had proved that the Masonic obligation had served to conceal crime and influence judicial proceedings, legislation, and elections in Pennsylvania.

Odd Fellowship was examined in detail, because, in the committee’s view, it posed a potentially greater threat for the future than a waning Freemasonry. “It is cheaper and consequently accessible to a more numerous and less cultivated class of people. Masonry is the aristocratic, and Odd Fellowship the plebian order of iniquity.”

Despite the value of the evidence gathered, the committee complained that it had been denied much of the testimony it wished and expected by “the contumacious and rebellious conduct of the masonic institution.” Wolf, Dallas, and Sprole were specifically cited as impediments to a proper inquiry, but “Masons of high standing from every quarter of the state” had risked legal penalty and public odium by refusing to comply with the House’s order to be sworn. “How fearful, criminal, or disgraceful must have been the facts which truth would have disclosed, when to conceal them, they thus braved the authority of the law. . . .”

The report contended that the witnesses’ refusal to testify on the grounds that “they were not bound to criminate or disgrace themselves” was an “admission that every act of masonry was criminal or disgraceful, else they might have given some evidence without self-crimination.” The Freemason’s claim to be secure from legislative molestation in his “pursuit of happiness” was likened by the committee to a felon’s complaint against an officer of justice who interfered with his criminal vocation. A full report, the committee said, must be left to “some future legislature, which shall have a majority determined to compel witnesses to testify, by the infliction of every necessary and constitutional penalty.”

The failure of the House to punish for contempt, the report concluded, had assumed a “party aspect.” “The Whigs, with one honorable exception, voted with their natural and uniform opponents—the Jacksonmen—in defence of the lodge.” Only the “political antimasons” supported the constitution “with all their numerical and intellectual powers,” and there is no hope for the eradication
of Freemasonry "until a majority of both branches of the legislature shall be composed of avowed political antimasons." 101

But such a majority was never achieved. "Exclusive" Anti-masonry had passed its floodtide; the united Democrats swept the legislative elections of October, 1836, with Thaddeus Stevens, Ner Middleswarth, and Joshua Cox leading the list of Antimasonic casualties. 102 The legislative inquiry was almost certainly a factor in this electoral debacle, but, significantly, the Whig-Antimasonic coalition survived to give serious challenge to the Democrats in the presidential election of 1836 and the gubernatorial election of 1838. 103

In one sense, Stevens could consider the legislative inquiry a political success: he had forced Freemasons of considerable public stature to appear before the committee. That they had defied the committee with impunity could be offered as incontrovertible evidence of their awesome secret power. 104 One may speculate that had his Antimasonry been less "pure," had he been willing to concentrate his attack on less prominent personages or on Democratic Freemasons only, his chances of being upheld by the House would have been substantially greater.

It was fortunate for civil liberties in Pennsylvania that Stevens' principal targets were politically potent individuals, including men of such demonstrable probity and distinguished public service that the House hesitated to vote them guilty of contempt while there was any color of constitutionality to their refusal to testify. In this connection, the comprehensive language of the "Declaration of Rights" of the Pennsylvania Constitution of 1790 was a great advantage to the witnesses, as was the absence of any statutory provision for punishment for contempt of the House of Representatives. 105

If the Freemasons won a victory, it was the modest one of having avoided public humiliation. Assuredly the Masonic institution felt

101 Ibid., II, 915-920.
102 The "Historical List of Members of General Assembly, 1789 to 1890" indicates that only fifteen incumbent members of the House were re-elected. Pennsylvania Manual, 1947-48, Vol. 88 (Harrisburg, 1948), 509-577. See also Snyder, 85-87.
103 Ibid., 222-223.
104 Pennsylvania Telegraph, June 8, 22, 1836.
105 Punishment for contempt of the House was not authorized by statute until 1842.
the "chilling" effect of political harassment. Scores of Masonic lodges, beset by membership difficulties, surrendered their warrants or had them vacated by the Grand Lodge. Only forty-five subordinate lodges remained under the jurisdiction of the Grand Lodge in 1839, and it was not until 1846 that Freemasonry in Pennsylvania showed signs of revival.

Saint Joseph's College

Frank Gerrity

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106 Reprints of the Minutes of the Grand Lodge . . ., VI, v.