

William Penn: How Does He Rate As A "Proprietor"?

AS A GROUP colonial proprietors approached colonization with a great deal of thought. Planning involved advertisements to attract settlers, land sales to raise money, constitutions creating governments, the location and design of cities, and provisions for religious toleration. A few proprietors also considered using their colonies for political exile, and fewer still for making them their permanent homes. The impression from surviving documents is that none thought, worked, planned, and fussed quite as much as William Penn.

Colonial proprietors began and ended their proprietorships in an impossible position. They were granted land to be settled for England's benefit at no cost to the crown. In terms of land and government they were middlemen. They received their land from the king, granted it to settlers, and then tried to collect rents. As "lords" the proprietors were responsible to the crown for the good behavior of their provinces, while their governors and the colonists operated the governments. As rulers they usually reigned from a distance, without the ability to enforce their policies. If disobeyed, or, more frequently, ignored, the proprietors usually had no police or military unit that could impose their wishes on a recalcitrant populace. Even if they had had actual police power (and the Duke of York had a garrison in proprietary New York which served more as a financial drain than anything else)¹ their hands were tied—using force would alienate actual or potential settlers. Thus what they could do was constantly tempered by the need to attract colonists. Penn was caught in the same bind with two additional complications: as a political "whig" he needed to retain enough political power to rule, but had no desire to be an "absolute" ruler; and as a Quaker the use of military force to impose order was proscribed. The fact that Penn, like

¹ Robert Ritchie, *The Duke's Province: A Study of New York Politics and Society, 1664-1691* (Chapel Hill, 1977), 48-49, 71-74.

other proprietors, was caught in the middle, helps to explain his constant sense of frustration.

Furthermore, colonial proprietors had several motives for desiring colonies. They wanted to establish homelands for fellow members of their particular religious group, they sought to experiment with political ideas in America, they wanted to obtain power and prestige through colonization, and most of all they desired profits. Penn shared these objectives, including the last. Gaining adequate returns was a particularly elusive goal. The proprietors overestimated the potential for profit from colonization and grossly underestimated the expenses. It is not surprising that they, Penn included, found being proprietors financially unrewarding and a disappointing experience.

All of the proprietors produced pamphlet literature designed to advertise their colonies and attract settlers. For example, as early as 1633 Cecilius Calvert had made efforts to learn of his province by consulting his father's papers, those who had been to America, and Captain John Smith's *Historie* which was "confirmed by hundreds living in this city of London, who have been themselves there, and mean to return thither again."² So too did Penn consult George Fox and others who had been to America. Evidence that Penn knew something about his province before obtaining his charter is seen in the first name he proposed for the colony: "New Wales" because, he said, it was hilly.³

Much of this pamphlet literature was overly optimistic and tended to describe the New World as a place where plants and animals were abundant and life would be easy. For example, an early Maryland tract optimistically stated that one seed of grain usually yielded "five or six hundred; in the best years, fifteen or sixteen hundred" and "in the worst years. . . two hundred fold" and this "in one harvest, while the soil is so rich, as to afford three harvests a year."⁴ Colonization tracts dwelt entirely on the advantages of the New World until the settlement of West Jersey, when several accounts started by saying that they were written to refute rumors about the place.

² *A Declaration of Lord Baltimore's Plantation in Maryland* (1633), 2 (Baltimore, 1929 reprint).

³ Letter to Robert Turner, March 5, 1681 in Samuel Janney, *Life of William Penn* (Philadelphia, 1853), 165.

⁴ *Account of Colony of Lord Baron of Baltimore* (1633), 52 Fund Publications #7.

Penn produced, or had written, more pamphlets than the other proprietors and the picture of the New World given in them was more realistic. For example Penn warned prospective settlers in *Some Account of the Province of Pennsylvania* (1681) that they "must be willing to be two or three years without some of the conveniences they enjoy at home." After Penn had been to the colony he wrote *A Further Account of the Province of Pennsylvania*, in which he admonished settlers to "Be moderate in Expectation, count on Labour before a Crop, and Cost before Gain."⁵ This was a far cry from picturing the New World as paradise, and it was advice all proprietors might well have taken to heart—for themselves as well as their prospective colonists.

Penn's greater realism resulted from a number of factors. He had nearly 50 additional years of English experience in America to draw upon than did Cecilius Calvert, as well as the perspective gained from his involvement in New Jersey before acquiring title to Pennsylvania. Also, by the 1680's there was a competition for potential settlers from other colonies and the possibility of having overly optimistic statements corrected by other proprietors or their agents. Despite the greater realism, Penn's pamphlet literature, like that of other proprietors, emphasized the positive aspects that would accrue from a move to the New World.

The proprietors prepared, published, and distributed colonization tracts either themselves or through their agents in England and elsewhere.⁶ Penn was more diligent in this effort than the others and produced more and in a greater variety of languages (Dutch, German, and French) as part of his effort to attract settlers from Europe as well as England. The contrast is shown by the fact that the Duke of York's agents produced one pamphlet, the Carolina proprietors six in the first ten years of their colony, while under Penn's auspices 26 tracts appeared in the first ten years. As with the pamphlets of other proprietors Penn's

⁵ *Some Account of Pennsylvania* (1681), 211, in Albert C. Meyers ed., *Narratives Early Pennsylvania, West Jersey, and Delaware* (New York, 1912); *A Further Account of the Province of Pennsylvania* (1685), 81, in *PMHB* v.9 (1885).

⁶ The figures which follow are based on a list of proprietary pamphlets compiled by the author. Maxine Neustadt Lurie, "Proprietary Purposes in the Anglo-American Colonies: Problems in the Transplantation of English Patterns of Social Organization" (University of Wisconsin, PhD diss., 1968), Chapter 5, and Appendix III Proprietary and Pro-Proprietary Tracts.

tracts varied considerably in size, quality, and purpose. Thus there is a contrast between Penn's *Brief Account of the Province of Pennsylvania in America* (1681) which was an eight page brief with John Thornton's map of Pennsylvania attached, and Penn's *Letter to the Free Society of Traders* (1683), a long account written while he was in the colony to tell the Old World what he had found.

Like all the other proprietors Penn hoped to make a profit from his venture. In 1685 he instructed Thomas Lloyd to "Prepare the people to think of some way to support me so I may not consume all my substance to serve the province."⁷ And looking back in 1710 he wrote "when it pleased God to open a way for me to settle that colony, I had reason to expect a solid comfort from the services done to so many hundreds of people."⁸ Unlike modern companies the proprietors left no account books from which expenses and revenues can be extracted and compared. But the fragmentary evidence which exists suggests that as businessmen the proprietors, Penn included, were failures. Colonization was an expensive proposition, returns were difficult to come by, and it is unlikely that any of the early proprietors made a profit.

Some examples of the expenses of colonization can be given as illustrations of what the proprietors faced; costs included production of pamphlets, fees for having the charter passed and copied in England, money paid Indians to relinquish their claims to land, and transportation of settlers and supplies in the early years. Only the Carolina proprietors left a record of the costs of obtaining their charter—£106 lls. 6d. in 1663, and £71 2s. 4d. for a revised charter in 1665.⁹ Certainly Penn had similar costs.

⁷ Penn to Thomas Lloyd, October 2, 1685 in Arthur Pound, *Penns of Pennsylvania and England* (New York, 1932), 168.

⁸ Letter of Penn to Friends in Pennsylvania, June 29, 1710 in Janney, *Life Penn*, 529.

⁹ The money came out of a common fund established at the first meeting of the Carolina proprietors in May, 1663. At that time they agreed to make periodic contributions to cover expenses, and each proprietor promised to start with £25. By the end of three years, six of them had laid out £100 each; neither Sir William Berkeley nor Clarendon ever paid in any money. The £600 just covered the cost of the charters, a great seal, the printing of commissions for their officers, and an ill-fated expedition to Port Royal. First meeting of the Proprietors, May 23, 1663, *Shaftesbury Papers* in Langdon Cheves, ed., *Collections South Carolina Historical Society* v.5 (Charleston, 1897), 5; Account 1663-1665, CO 5/286 Carolina Entry Book, 221ff (ACLS Brit. MSS Project, PRO Reel #1 LC microfilm); Alexander Salley ed., *Records in British Public Records Office Relating to South Carolina* (RSC) v.1 (Atlanta, 1928), 1-5.

Of all the proprietors Penn spent the most to clear Indian titles because he was the most willing to recognize their rights. He wrote, while still a trustee of New Jersey, that "the soil. . . 'tis the natives' by the *jus gentium*, by the laws of nations, and it would be an ill argument to convert to Christianity, to expel, instead of purchasing them out of those counties." In 1685 Penn said he had given a total of £1,200 to the Indians for their land; by 1711 he estimated the figure had risen to somewhere between £3,000 and £4,000.¹⁰

The greatest amount of money was spent on transporting settlers and supplies to the colonies in the early years; yet these funds are the most difficult to calculate because expenses were often shared by the proprietors, their friends and relatives, the colonists themselves, and specially organized groups such as the Free Society of Traders of Pennsylvania. There are a few estimates of total amounts spent by proprietors. The Baltimores claimed to have spent £40,000 on Avalon and Maryland; and the Carolina proprietors in 1675 estimated that they spent £10,000 to send settlers and supplies to South Carolina (of course this was spread among the proprietors and not contributed by one individual).¹¹ Penn estimated his expenses at £12,000 in the first two years and he may well have laid out this amount.¹²

Once their colonies were settled, all the proprietors expected their own responsibilities to end, leaving them to worry only about their

¹⁰ Quote from "Respecting the Duke of York's Right to taxes from New Jersey," in Mabel Brailsford, *Making of William Penn* (London, 1930), 339. The proprietors of both East and West Jersey, like Penn, paid the natives for territory from their own funds. In contrast, while Berkeley and Carteret ordered the governor and council in New Jersey to purchase land, they made it quite clear that the settlers were to reimburse them for this expense. In both New York and Maryland colonists were expected to clear Indian claims themselves before getting patents from the proprietors, and they were warned that without the second step, titles from the Indians were not valid. The Carolina proprietors and John Fenwick in New Jersey ignored Indian claims to their territories.

¹¹ *Lord Baltimore's Case* (1653) in Clayton Hall ed., *Narratives Early Maryland* (New York, 1910), 167; stated that Cecilius Calvert had sent his two brothers and over 200 settlers to Maryland in 1633 where "ever since, he and his friends have disbursed above £40,000 where of £20,000 at least, was out of his own purse." This quotation makes it evident that if £40,000 was spent on the second venture, only half of it was out of the proprietor's own pocket. Another £20,000 was spent on Avalon. Baltimore to Lords Trade, 1642, Calvert Papers, *Maryland Historical Society* v.28 (1888), 222; *The Lord Baltimore's Case concerning the Province of Avalon in New-Found-Land, an Island in America* (London, 1651). Shaftesbury to Governor and Council at Charleston, June 10, 1675, *Shaftesbury Papers*, 467.

¹² Penn to James Harrison, November 20, 1686, Lloyd MSS, HSP; Penn to Logan, September 14, 1705, in Thomas Gordon, *History of Pennsylvania* (Philadelphia, 1829), 608n.

profits. They assumed that the colonists would meet the continuing costs of maintaining governments and of defense through taxes and import duties. Proprietary revenues, mainly from land sales and quit rents, were to go directly into the proprietors' own pockets. The problem was that this did not work in Pennsylvania or elsewhere. Often the proprietors ended up paying some of the costs of maintaining the governments in their colonies and frequently this money came from quit rents. Penn's experience in this regard was typical.¹³ In Carolina, East Jersey, and New York the proprietors paid for the expenses of government throughout the proprietary period; in New Jersey, West Jersey, Pennsylvania, and Maryland they eventually persuaded the colonists to accept the responsibility.

From the 1680's Penn expected the colonists to pay for the costs of government, but they repeatedly refused to grant money. By 1687 he was exasperated enough to write his friend and agent, James Harrison that he wanted "no more mention" of the supply, would "sell my shirt off my back, before I will trouble them any more," and never would "come into that province with my family to spend my private estate, to fill up and discharge a public station, and so add more wrongs to my children." Despite his resolution, Penn continued to complain, but in vain; his colonists failed to listen.¹⁴ In fact, in 1705, the assembly told Governor Evans that the first settlers had shared the costs of settlement with Penn, and that the proprietor should contribute, at least, the use of his quit rents to pay for the government, especially the governor's salary.¹⁵ Penn did not agree and his bitterness increased with the years

¹³ For a more extensive discussion of this point see: Lurie, "Proprietary Purposes", Ch. 5, 6.

¹⁴ Penn to James Harrison, January 28, 1687 in Janney, *Life Penn*, 286. When Penn was in the colony in 1684 the assembly passed an excise tax that was supposed to go to him for the support of the government, but the Philadelphia merchants refused to collect the tax and instead promised to raise £500 for the government among themselves. They never collected the contributions and, when Penn threatened to gather the tax in its place, the assembly repealed the act establishing the tax. See: *Minutes of the Provincial Council of Pennsylvania, Colonial Records* (Philadelphia, 1852) v.1, 99, 129, 163, 201, 317; Penn to Thomas Lloyd, September 22, 1686, *PMHB* v.80 (1956), 242. Penn complained continually about the lack of a supply. For examples see: *Penn-Logan Correspondence, Memoirs HSP* v.9 (Philadelphia, 1870), 53, 73, 112, 164, 211, 297, 306, 355; *Penn-Logan Correspondence, Memoirs HSP* v.10 (Philadelphia, 1872), 70-71. The same complaint was made about people in Pennsylvania by the Crown's governor, Benjamin Fletcher in 1693; *Documents Relative to Colonial New York* v.4 (Albany, 1854), 37.

¹⁵ The assembly continued to maintain this position for three years in debates with Governor Evans. Logan to Penn, July 4, 1705, *Penn-Logan Corresp.* v.10, 33; *Minutes Council Pa.* v.2

until in 1710 he wrote a scathing letter denouncing, among other moves, the "resolves past in the assemblies for turning my quitrents, never sold by me, to the support of the government" and complaining that his "private estate (was) continually exhausting for the support of the government, both here and there, and no provision made for it by that country." Not until after 1711, following an acrimonious election in which many members of the antiproprietary party lost their seats, did the assembly in Pennsylvania regularly provide for the governor's salary from taxes rather than the proprietor's revenues.¹⁶

Penn was faced with the continual cost of defending his government in England as well as running it in America. In the 1680's he had to reply to Baltimore, in the 1690's answer for his previous connections with James II, and after 1700 counter the general attack made on proprietary governments. All of this took time and money; in 1702 he protested that "unspeakable fatigue and vexation that follow my attendances, droughts of answers, conferences, counsel's opinions, hearings, &c" as well as "the charge that follows them. Guineas melting four, five, six a week, and sometimes as many in a day." The Pennsylvania assembly in 1701 granted the proprietor £2,000 to use in defending the colony and its laws, but in 1704 Penn complained that he had spent well over £3,000 since returning from the colony and had not received most of the money promised. As late as 1713 not all of it had been collected.¹⁷

All the proprietors not only wished to meet the expenses of colonization but also anticipated making a profit and they saw land as their primary source of income—it could be sold, rented, and set aside in private proprietary estates. The proprietors usually charged a purchase price for their lands which they hoped to keep as profit. Penn's experiences here are illustrative of the problems all the proprietors faced.

(1852), 195-197, 416, 419-420, 423; *Votes House Pennsylvania* v.1 (1931), 485-487, 804-805, 812-815, 817-820.

¹⁶ There were apparently three exceptions to the assembly's refusal to pay the governor's salary. They did make some provisions in 1693, 1696, and 1705. But at no time did they accept it as their responsibility to continue to meet this expense. See particularly: debates in *Minutes Council Pa.* v.1-3; and in *Votes House Pa.* v.1-2; *An Act for Granting King William and Mary the Rate of . . .* (1693); *Penn-Logan Corresp.* v.10, 84-85, 93, 105-106, 113-114, 127-128, 140-142, 236, 254, 284-285, 291, 312, 331, 357, 422; Isaac Norris, *Friendly Advice to the Inhabitants of Pennsylvania* (1710) in Lloyd Mss.

¹⁷ Quote from Penn to Logan, June 21, 1702, *Penn-Logan Corresp.* v.9, 112.

For example Penn granted 566,000 acres to the First Purchasers, and collected £5,600 in return and promptly invested it in the colony. But Penn, after the first years, found it difficult to collect his purchase money. In 1702 James Logan wrote that "Land. . . sells as well as ever, but they generally disappoint wholly in their pay; and many finding the difficulty fly off again." Penn, at this time, did not view his lands as very lucrative.¹⁸

The proprietors reserved an acknowledgement of their land, quit rents, whether they sold or leased it. In most colonies they expected this to be their largest source of income. But they had trouble keeping accurate records, and then collecting rents.¹⁹ Money was scarce and commodities often had to be accepted as payment. Colonists used boundary and other disputes as excuses for not paying rents, and they squatted on the land.²⁰ The result of these numerous difficulties was that the net profits from rents, after costs of collection, were small. Thus at the end of their proprietorship, when they were negotiating to turn their province over to the crown, the Carolina proprietors claimed that rents from both of their provinces were £13,200 in arrears.²¹ As early as 1687 Penn was complaining that rents were £500 in arrears; in 1695 he wrote that although rents were being collected he "never saw a penny of it." By 1699 the arrears had risen to nearly £5,000 (in 1779 they were £118,569 4s. 6½d.). Not until after 1701 were any returns from Pennsylvania rents sent to England, and even then most of them were used to meet expenses. Although Penn protested in 1703 that "what comes from thence does not feed my horses nor pay my servants'

¹⁸ Logan to Penn, December 1, 1702, *Penn-Logan Corresp.* v.9, 147. See also: Hubertis Cummings, "William Penn at Worminghurst," *PH* v.30 (1963), 270-271; Anthony Garvan, "Proprietary Philadelphia as Artifact," in Oscar Handlin and John Burchard eds., *The Historian and the City* (Cambridge, Mass., 1963), 184; Gary Nash, *Quakers and Politics* (Princeton, N.J., 1968), 216, 254-255; Catherine Peare, *William Penn* (Philadelphia, 1957), 271; John Pomfret, "The First Purchasers of Pennsylvania" *PMHB* v.80 (1956), 148.

¹⁹ In Pennsylvania, despite continual requests from the proprietor, no real attempt was made to keep reliable records until after 1701. In 1705 the assembly's aid was successfully enlisted and an act was passed to assist the proprietor in this matter, but it proved ineffective and in 1758 Penn's heirs were still trying to systematize the rent rolls. Law 1705, *Laws of the Province of Pennsylvania Collected 1712* (Philadelphia, 1714).

²⁰ In 1705 Penn estimated that at least 40,000 acres were illegally occupied. Penn to Logan, April 20, 1705 in Janney, *Life Penn*, 496.

²¹ Not only were rents in arrears but, according to the Carolina proprietors, accounts from North Carolina in 1727 showed a deficit of £251. Proprietors to Privy Council, 1728, William Saunders ed., *Colonial Records North Carolina (RNC)* v.2 (Raleigh, N.C., 1886), 722-723.

wages," at least he received something. Logan wrote in 1706, "I have really raised a great deal of money since thy departure. My accounts sent last year showed £8,000 paid and shipped off." This must have included returns from all sources, not just rents; and since Penn was in serious financial difficulties at the time and had previously spent considerable money on the colony, he undoubtedly did not think this "a great deal of money."²²

In addition to collecting money from rents, the proprietors intended to reserve lands for themselves to be run as farms or manors from which they could obtain additional income. This was also a form of speculation. As lands within the colony were occupied, the value of the estates set aside for the proprietors would increase and they could ultimately be sold at higher rates. The greatest amount of land set aside for proprietors was probably in Maryland and Pennsylvania—there are no exact records but those in existence show that in the seventeenth century the Calverts set out 11 manors containing between 1,000 and 20,000 acres apiece, while by 1712 9 manors, containing 56,121 acres, had been established by Penn. This land was leased to tenants. Penn, when in financial difficulties, sold parts of his manors; Baltimore's heirs tried to sell all of theirs in 1766.²³

Penn's venture at Pennsbury is representative of the proprietors' efforts to turn a profit by establishing farms, and the lack of success in making money in this fashion. The only difference is that he spent more money than any of the others because he intended to live there. Penn

²² Penn to Robert Turner, and Thomas Holmes, June 20, 1695, Penn Family Corresp. Mss, Dreer Col., fol. 38, HSP; Penn to Logan, December 7, 1703, *Penn-Logan Corresp.* v.9, 257; Logan to Penn, August 11, 1706, *Penn-Logan Corresp.* v.10, 157. Before 1701 Penn did receive purchase money for lands sold; he obtained c.£8,000 between 1681 and 1685. But, since this was immediately used to help finance the venture, he did not consider it as profit. Penn's heirs made money on the province, but not as much as those of Baltimore. A 1779 estimate stated that between 1700 and 1779 a total of £182,248 12s. 10d. in rents came due, but only £63,679 8s. 3½d. had been paid. This was little more than £800 per year. Beverly Bond, *Quitrent System in the American Colonies* (New Haven, 1919), 161n.

²³ Harry Newman, *Seignior Early Maryland* (n.d.), 19; Instructions November 18, 1643, *Proceeding's Council Maryland* v.3 (1885), 141-143; John Kinnaman, "Internal Revenues Colonial Maryland" (Indiana University PhD diss., 1954), 21-23; Gregory Stiverson, *Poverty in Land of Plenty* (Baltimore, 1978), 5, 25, 104-136. *Draughts of the Proprietary Manors in the Province of Pennsylvania*, PA s.3 v.4 (1895); Instructions from Penn, February 8, 1687, *Minutes Board of Property Pennsylvania*, PA s.2 v.19 (1893), 12-13; Instructions by Penn to Commissioners, November 1, 1701, *Ibid.*, 191-192; Logan to Penn, May 1, 1702, *Penn-Logan Corresp.* v.9, 93; Logan to Penn, August 14, 1706, *Penn-Logan Corresp.* v.10, 157.

spent an estimated £7,000 on Pennsbury, £5,000 alone for his house there. He never covered his expenses and in 1689 resolved to "have nothing more to do with farming."²⁴

Some of the proprietors' financial problems resulted not only from colonists who refused to pay proprietary revenues, but from proprietary extravagance and poor judgment as well. Penn was not the thriftiest of Quakers. Although he expected his deputy governors to live well on £200 a year, his living expenses for two years of his second visit to Pennsylvania came to £2,049.²⁵ He also used and trusted, to his regret, Philip Ford as his agent. But he was not alone in his misplaced trust; the Duke of York, the proprietors of East Jersey, and members of the West Jersey Society were also cheated by unscrupulous agents.²⁶

Penn gave estimates balancing total expenses, including advertising, colonization, and government, against revenues and his statements varied considerably; in 1704 he calculated £30,000 lost on his project, and in 1711, £50,000.²⁷ The Pennsylvania proprietor made the first of

²⁴ Penn to Robert Turner, October 4, 1689, Penn Family Corresp. Mss, Dreer Col., fol. 30. The Carolina proprietors established a farm in Albemarle and the only profit they made came from the oil of whales that washed up on shore.

²⁵ William Buck, *William Penn in America* (Philadelphia, 1888), 386; Edwin Bronner, *William Penn's 'Holy Experiment'* (New York, 1962), 71.

²⁶ For the Ford affair see: Copy of Deed signed by Philip Ford, April 10, 1697, Lloyd MSS; Copy of Accounts between Penn and Ford, *Ibid.*; *Penn-Logan Corresp.* v. 10, 37, 96, 100-101, 109, 169-170, 174-179, 251, 255, 263; Joseph Illick, *William Penn the Politician* (Ithaca, New York, 1965), 215-216; Roy Lokken, *David Lloyd* (Seattle, 1959), 93-94; Peare, *William Penn*, 237-315, 353-354, 388, 396, 401-404; Mary Maples Dunn and Richard Dunn, eds., *Papers of William Penn* v. I (Philadelphia, 1981), 575. Francis Jennings believes Penn's trust in James Logan was also misplaced. See: "Miquon's passing: Indian-European relations in Colonial Pennsylvania, 1674-1755" (University of Pennsylvania PhD diss., 1965), 107, 116, 155-160, 254. John Lewin examined accounts in New York and concluded that because of the "falsities and deceptions thus practiced it is impossible to discover how much your Royal Highness has been damnified." *Doc. Rel. Col. NY* v. 3 (1853), 302-308.

²⁷ Penn gave an estimate of £6,000 in 1686, £13,000 in 1688, £20,000 in 1701, £30,000 in 1704, and £50,000 in 1711. The Carolina proprietors gave two estimates of how much they had spent—one claim in 1674 said £10,000 and another in 1679 said £18,000. Herbert Paschal thinks they spent, for the *entire* proprietary period, between £12,000 and £15,000 *excluding* the cost of the civil list; "Proprietary North Carolina" (University of North Carolina PhD diss., 1961), 173-177. For the sake of argument, forgetting that shares changed hands, if the figure of £15,000 is used, remembering that it excludes the costs of the civil list, and that usually only 6 of the proprietors contributed to expenses, it averages out to £2,500 each. Seven of the proprietors surrendered their title to the king in 1729 and in return received £2,500 each. The records of returns are incomplete; only £105 per share distributed between 1711 and 1714 is evident as clear profit. If the costs of the civil list are allowed for and possible interest earned on alternative investments is taken into account, it is unlikely that the proprietors made a profit.

these statements in a letter to James Logan who, several months later, replied with a lecture for the benefit of his employer. Logan advised that accounts be kept straight at all times because they might be examined by Pennsylvanians who were convinced the proprietor was taking a considerable amount of money out of the colony. He concluded with a hypothetical:

If I have a mill given me that earns £100 per annum, and for five years I lay out on her £120 every year, I can truly say I am £100 out of the pocket on her, viz., £20 per annum more than I received; but not that I am £600, tho' so much really be laid out on her in the time, for the other £500 she herself paid.²⁸

Logan's hint about Penn was true of all the proprietors. They distinguished between expenses, which they never intended to meet alone, and returns, which they hoped to keep for themselves as profits. Penn, for example, failed to subtract the returns from rents and land sales made in the province from the total he claimed to have spent there. Penn considered these revenues his private property and believed their use to be identical with money straight from his own pocket.

Considering their expenses, none of the proprietors, with the possible exception (in later years) of the Calverts'²⁹ and Penn's heirs, made a profit on their colonies.³⁰ Several proprietors were thrown into serious financial difficulties. Both Sir George Carteret and John Fenwick died

²⁸ James Logan to Penn, August 22, 1705, *Penn-Logan Corresp.* v. 10, 49.

²⁹ The Calverts' profits eventually came from their lands. Maryland manors returned an estimated £750 per year in rents between 1752 and 1761, while the sale of manor lands returned an estimated £32,230 10s. 1½d. between 1766-1771. From other land they were receiving nearly £8,000 net rents per year by the 1760's. At the time of the Revolution Henry Harford, heir of Frederick the last Lord Baltimore, claimed £477,000 lost. The government of Maryland never paid him for the 244, 905 acres seized, but the British government granted him £90,000. Stiverson, *Poverty in Land Plenty*, 18, 104-136, 171n.

³⁰ In 1779 the common lands and political rights held by the proprietors were confiscated by the revolutionary government of Pennsylvania, but the personal estates and some of their rents were left intact. The Penns claimed a loss of £944,817; they received £130,000 from Pennsylvania, as well as £500,000 compensation from the British government. In 1790 Parliament decided to pay the latter in the form of an annuity of £4,000 per year. At least one historian, Siebert, (with some justification) believes that this was close to what the Penns had been receiving before the Revolution. "First General Statement of the Claims Made by and Losses Liquidated of American Loyalists," *Second Report of the Bureau of Archives for the Province of Ontario* (Toronto, 1905), 1347; Wilbur Siebert, *The Loyalists of Pennsylvania* (Columbus, Ohio, 1920), 64-65.

in debt; in fact, Fenwick's personal property at the time of his death was worth only £20 9s. 8d. The Calvert's investment in Avalon and Maryland, by 1639, had reduced Cecilius Calvert to dependence on his father-in-law, the Earl of Arundel, who wrote that Cecilius was "brought so low with his setting forward the plantation of Maryland, and with the claims and oppositions which he had met with, as that I do not see how he could subsist, if I did not give him diet for himself, wife, children."³¹

The Calverts' financial state improved with time, but Penn's continually deteriorated. Penn had monetary problems before obtaining Pennsylvania; undoubtedly his need for money contributed to his desire for a grant. Penn's growing financial problems resulted from a combination of living beyond his means, unscrupulous agents, and legal complications from his second marriage which tied up parts of his English estates. But if Penn expected profits from his New World venture to bail him out, he was mistaken. His efforts in Pennsylvania apparently had the opposite effect, and helped plunge him deeper into debt. In 1696 he wrote to Friends in Pennsylvania asking whether one hundred persons could lend him £100 each, free of interest for four years, so he could return to the colony; when they refused, he sold several large tracts of western lands. In 1706 Penn became involved in a financial dispute with the heirs of Philip Ford, his former agent; as a result Penn went to prison, and when the litigation ended in 1708, he was forced to mortgage his province for £6,600. Rents and land receipts were used to pay off the mortgage; the task took eighteen years which says something about the rate of returns from Pennsylvania.³²

Because of their lack of profits most of the proprietors tried to liquidate their holdings. Like Penn, the Duke of York expected colonial revenues would help him out of financial difficulties in England. Instead expenses outran returns and he ended up owing money to three of his governors.³³ He contemplated selling or giving up what was left of

³¹ Will of Sir George Carteret, *NJHS Proc.* v.28 (1908) 2-4; Robert Johnson, "Memoir of John Fenwick, Chief Proprietor of Salem Tenth, New Jersey," *NJHS Proc.* v.4 (1850), 84. Letter of Earl of Arundel, February 17, 1693 in Edward D. Neill, "Light Thrown by the Jesuits upon Hitherto Obscure Points of Early Maryland History," *PMHB* v.5 (1881) 55-56.

³² Penn to Friends, February 4, 1693, *Memoirs HSP* v.4 pt.1 (1840) 202-203; Letter of Benjamin Fletcher, n.d. in Buck, *William Penn in America*, 212; Gordon, *History of Pennsylvania*, 107; Charles Keith, *Chronicles of Pennsylvania* v.1 (Philadelphia, 1917), 368-369, 375; Dunn, *Penn Papers*, 576, 646-647.

³³ Ritchie, *Duke's Province*, 48-49, 101-107, 186.

his province just before becoming king. The Jersey proprietors gave up their government in 1702, and the Carolina proprietors their government and lands in 1729. The need for money was undoubtedly behind Penn's decision to sell Pennsylvania and, if it had not been for an incapacitating stroke, he would have signed the necessary papers in 1712.

At the heart of the proprietorships was the political control given the proprietors over their provinces. It involved them in feudal relationships vis-a-vis the king and their colonists; once again the proprietors were perennial middlemen. The proprietors viewed the political power they acquired as important, and to implement it most of them prepared formal constitutions.

Feudalism involved "an interlocking network of freedoms, duties and obligations"; in the proprietary colonies proprietors and colonists were tied to each other, and both to the king.³⁴ These relationships included obligations of "fealty" (loyalty); they were not simple financial bonds. Unquestionably the proprietors viewed themselves in terms of feudalism; in their minds once their colonies were settled the residents owed them loyalty as well as quit rents. The proprietors in their turn owed loyalty to the king as well as an acknowledgement symbolized by such items as arrowheads, beaver skins, and gold coins. In actual fact the American colonists ultimately felt they owed quit rents to the proprietors and little else. The sense of loyalty did not develop; the bond became a commercial one.

While the colonists challenged the proprietors from below, the crown pressured them from above. England originally used feudal practices as colonizing techniques because new methods had not been developed for an essentially new situation. Since the proprietors were given colonial "fiefs," they were imperial governors under the king. The proprietary colonies were part of the British empire, but the

³⁴ The quote is from William A. Williams, *Contours of American History* (Cleveland, 1961), 56. The *Oxford English Dictionary* defines "feudal" as a term used for land tenure where an intervening lord existed. Colonial historians have used it imprecisely and with unnecessary derogatory overtones. Several historians have recently attempted more precise definitions, with varying degrees of success. See particularly: Francis Jennings, *The Invasion of America* (Chapel Hill, 1975), 107, 333; Sung Bok Kim, *Landlord and Tenant in Colonial New York: Manorial Society 1664-1775* (Chapel Hill, 1978), 13, 16-17, 21, 26-27, 87, 90-107, 243; Rowland Berthoff and John Murrin, "Feudalism, Communalism, and the Yeoman Freeholder," in Stephen Kurtz and James Hutson, eds., *Essays on the American Revolution* (Chapel Hill, 1973), 263-276.

techniques and limits of the imperial system were not established at the outset of colonization. Conflict was inevitable because the concept of a closely knit empire and the idea of a decentralized feudal system could not co-exist.

Penn shared with the other proprietors a feudalistic concept of authority, the basis of which was incorporated into the terms of proprietary charters. The proprietor was seen as a "lord" or prince.³⁵ He owed fealty to the King above him, while the colonists below owed fealty to him. This relationship is reflected in the fact that laws and writs in all proprietary colonies except New Jersey, ran in the proprietors' names. Thus Penn regarded his colonists as subjects of both the king and himself. In 1687 Penn noted that Pennsylvania laws did not run in his and the King's name, and complained that this "is of a dangerous Consequence to the Persons and Things they have Transacted; since they have no Power, but what is derived by me, as mine is from the King."³⁶ In the future laws were issued in the proprietor's name.

In addition the proprietors expected colonists to take an oath to them as a sign of the loyalty they were owed as feudal lords. The oath was sometimes demanded from all freemen, or those taking out land patents, or just colonial officers and members of the assembly. It ranged from the New Jersey pledge of allegiance to the King and "to the interest of the Lord Proprietor of this Province," to the Maryland oath that failed to mention the king until after 1684 but did acknowledge the "true and absolute lord and proprietary," swore to "bear true faith," recognized the proprietor's "right, title, interest, privilege, royal jurisdiction, prerogative," and promised to prevent "plots" or conspiracies against "his said lordship." In Pennsylvania an affirmation

³⁵ See Penn's correspondence with Baltimore over the boundary dispute where Penn refers to proprietors as lords and princes: Penn to Baltimore, October 31, 1683, *Proceedings Council Maryland* v.17, 146; Baltimore's Answer, *Ibid.*, 152; "Conference of William Penn with Colonel Talbot, 1684," *Maryland Historical Magazine* v.3 (1908), 27-29. On the other hand, in several letters Penn turned around and charged that Baltimore was acting as a prince and had no right to do so. In a letter to Marquis of Halifax, February 9, 1683, Penn charged Baltimore "taketh himself to be a prince, that, even to his fellow subject and brother proprietor, can of right determine differences by force." Penn then argued that the King "must judge, eject and give possession;" *Memoirs HSP* v.1, 419-420. See also: Penn to Duke of York, June 8, 1684, *Memoirs HSP* v.4 pt.1, 179; Penn to Earl of Sunderland, June 8, 1684, *Ibid.*, 183.

³⁶ Penn to James Harrison, January 28, 1687, Lloyd Mss. Penn's views were stated further in 1701 when all the proprietary colonies were under attack and he acted as spokesman defending them in *Allegations against proprietary government*, and letters.

rather than oath was used and the individual promised "fidelity and lawful obedience" to Penn as "Rightful Proprietary and Governour."³⁷

The proprietors' feudal concept of role was explicitly rejected by colonists in Maryland, South Carolina, New Jersey, and New York as well as in Pennsylvania.³⁸ Colonists viewed proprietors as financiers and landlords. Thus Daniel Defoe, acting as publicist for Carolinians, wrote in *Party tyranny* (1705) that "the Gentlemen-Proprietors or Lords (*call them what you will*) are very honest Gentlemen; but are here placed above their *Sphere*. . . These proprietary Monarches are born without these Affections, like a landlord of his Tenant, they have their eyes *upon the Rent*; their Concern, if any, is not of affection, but of Interest."³⁹

Penn saw himself not only as a "lord" but also as a "father" to his colonists. As such he was sometimes vexed by his children and inclined to see their rejection of his role as a consequence of "an excess of vanity that is apt to creep upon the people in power in America."⁴⁰ While Penn shared with other proprietors this view of himself in an intermediate role between king and colonists, he had a somewhat different concept of how governments were formed than the Duke of York or Lord Baltimore who viewed them as handed down by decree. Penn instead used the idea of a compact in which the government was formed by agreement between settlers and proprietor. While he recognized that then the settlers could break this agreement he added, when provoked, that so could he. But this was a threat he never carried out.⁴¹

³⁷ Aaron Learning and Jacob Spicer eds., *Grants and Concessions New Jersey* (Philadelphia, 1881), 91; John Scharf, *History of Maryland* v.1 (Baltimore, 1879), 201; S. George et al, *Charter to William Penn* (Harrisburg, 1879), 122.

³⁸ 1655 Briuiat of the proceedings of the Lo: Baltimore and his officers and Compliers in Maryland against the Authority of the parliament of the Commonwealth of England, Rawlingson Mss A 43, microfilm; Protestant Association, *Declaration of Reasons and Motives for Appearing in Arms* (London, 1689); *Virginia and Maryland* (1655) in *Narratives of Early Maryland*; February 29, 1696, *Journal Commons South Carolina* v.4 (Columbia, 1908), 28; Daniel Defoe, *True State of the Case* (London, 1720); Joel Parker, "Monmouth County during the Provincial Era," *NJHS Proc.* v.13 (1874), 27-30; J.M. Neil, "Long Island" (University of Wisconsin MA thesis, 1963), 93; Remonstrance to Penn from the Assembly of Pennsylvania, May 18, 1691, Lloyd MSS.

³⁹ *Party-Tyranny* (London, 1705), 10-11; *Huy and Cry out of Virginia and Maryland* (1676), in *Proc. Council Md.* v.5 (1887), 139, stated that Baltimore was only the landlord. Lewis Morris in New Jersey accused the proprietors of not caring "one straw whether the King or the Devil has the Government, if they have the Money in it." See: "Letter of Lewis Morris to the people of Elizabethtown," July 13, 1698," *NJHS Proc.* v.14 (1877), 185.

⁴⁰ Penn to Roger Mompesson, February 17, 1705 in Janney, *Life Penn*, 492.

⁴¹ Penn to Commissioners, February 1, 1687, Janney, *Life Penn*, 288-289; Penn to Roger

All the proprietors wanted rights to the government of their colonies and not just to the land. The value that they put on political powers is illustrated by the persistent efforts of the various proprietors of New Jersey to obtain clear governmental rights to their colony. But it was best expressed by Penn when he wrote to his son in 1707 that "the land was but the shell or ring, and Government the Kernel or Stone; the ring may be worth £20 and the Stone £100. There can be no proportion."⁴²

The proprietors wanted political power because of the control it gave them over their colonies. They were responsible to the crown for maintenance of order, observation of the Navigation Acts, and defense. They particularly desired control over laws dealing with such land matters as purchase price, rent rates, and the ability to use courts for distraint. The proprietors also wanted political power to effect those political experiments they thought desirable whether these were essentially conservative (Duke of York), or liberal (Penn), or an intriguing combination of the two (Carolina). Thus Penn expressed his desire, in a 1681 letter, to correct "mischiefs in government" now that it was in his "power to settle one."⁴³

All of the proprietors made provisions for governments. On the one hand were the proprietors of New York and Maryland who had definite forms of government in mind but never wrote formal constitutions; on the other hand were the proprietors of New Jersey, Carolina, and Pennsylvania who engaged in an orgy of constitution writing at times inundating their colonists with concessions, frames, and fundamental constitutions. There were at least five constitutions drawn up by the proprietors for the Jerseys, seven for Carolina, and three for Pennsylvania.⁴⁴

Mompesson, February 17, 1705, *Ibid.*, 492; Penn to James Harrison, January 28, 1687, Lloyd MSS; Mary Maples Dunn, *Politics and Conscience* (Princeton, 1967), 55-64. Pennsylvania colonists also referred to the idea that government was a compact, as did proprietors and colonists in West Jersey, and colonists in Carolina. Most interesting is the argument by Daniel Defoe in *The True State of the Case Between the Inhabitants of South Carolina and the Proprietors* (1720) that the charter was a compact between the proprietors and the king, while the Fundamental Constitutions were a covenant between the proprietors and the colonists.

⁴² *Papers Relating to Provincial Affairs in Pennsylvania*, PA s.2 v.7 (1878), 12. Almost exactly the same words appear as well in: Letter from Penn to Charleswood Lawton, December 21, 1700, William Penn Letter Book 1699-1703, Penn MSS Col., 79; William Penn, *Allegations Against Proprietary Government* (London, 1701?), 2-3.

⁴³ William Penn, "Letters," *Memoirs HSP* v.1 (1826), 202-203.

⁴⁴ Concessions and Agreements of New Jersey (1665), Fundamental Constitutions of East

Penn spent more time thinking about and preparing his constitutions than any other proprietor. From his labors came the first *Frame of Government* of Pennsylvania. During most of the proprietary period that followed Penn tinkered with his *Frame* until it, like the *Fundamental Constitutions* of Carolina, had appeared in several different versions. Most of the changes resulted from Penn's second thoughts, but some came from colonial pressure for concessions. Similar pressures were experienced by all of the proprietors.

Before he wrote the final draft of his first *Frame* Penn consulted his friends and his books. Algernon Sidney, Benjamin Furley, Thomas Rudyard, and others contributed suggestions, plans, and criticism. The result was at least eighteen drafts in different hands with comments written on them—the ultimate in proprietary concern with constitutions. The drafts ranged from extremely liberal to very conservative documents. The *Frame* of 1682 was based on provisions that Penn strongly believed suitable to his colony, in conformity with the provisions of his charter, and acceptable to those prepared to immigrate to America.

Like other proprietors Penn thought on a grand scale—the first *Frame* provided for a bicameral legislature with 72 members in the council and 200 in the assembly. In comparison the *Fundamental Constitutions* of East Jersey provided for a council of 36, and a legislature of 84; to be increased after the first year to 168; the *Fundamental Constitutions* of Carolina provided for a council of 50, and a parliament of eight proprietors, or their deputies, plus 27 representatives for *each* county. Correspondence between Governor Archdale of South Carolina and the proprietors in 1697 revealed that if the provisions were followed there would have been “almost as many Elected as there (are) Electors in that Country.”⁴⁵ Penn realized he had a similar problem shortly after arriving in the colony when he noted that portions of the first *Frame* were “very inconvenient, if not impracticable. The numbers of members, both in the council and assembly, were much too

Jersey (1683), Fenwick's Agreement with his Purchasers (1675), Concessions of West Jersey (1676), Fundamental Agreements of West Jersey, Carolina Declaration and Proposals (1663), Carolina Concessions and Agreements (1665), Fundamental Constitutions of Carolina (counted as 5 versions: 1669, 1670, 1682, 1682, 1698), Pennsylvania first Frame, second Frame, and fourth Frame.

⁴⁵ Proprietors to Governor Archdale, April 25, 1697, *RSC* v.3 (1931), 195; Junius Davis, “Locke's Fundamental Constitutions,” *North Carolina Booklet* v.7 (1907), 33.

large.”⁴⁶ The second *Frame* reduced the number of representatives to three councillors and six representatives per county to increase up to 72 in the upper house and 200 in the lower *only* as the colony grew.

Penn then argued with his colonists over his use of the veto power and their right to initiate legislation—these were two items of general concern to American colonists in the seventeenth century and were frequently in dispute between proprietors and colonists.⁴⁷ In Pennsylvania the disagreement led to the third and fourth Frames of Government; the third prepared by the colonists and never accepted by the proprietor; the fourth worked out while Penn was in the colony and agreed to against his better judgment. In the end then, Penn did *not* manage to have his constitution with all of his ideas accepted and implemented in his colony. He did have some of his ideas accepted and established as fundamental law, but in the process he relinquished many of his proprietary powers. Thus Penn established an assembly and trial by jury, but he gave up the right to initiate legislation and to exercise a veto when he was not resident in the colony. In contrast the Duke of York, after considerable skirmishing, kept the form of government he wanted intact (although only by becoming King); the Calverts retained almost as much power as the Duke until 1689, when a rebellion cost them their government. The proprietors of Carolina and the Jerseys failed to establish their constitutions.

Penn like the other proprietors faced colonists who often demanded a maximum of rights and powers for themselves and gave a minimum of respect and allegiance in return. Colonists viewed their governments as similar to parliament, opposed proprietary vetoes, appointments of proprietary officers, and did all in their power to block actions by proprietary governors.⁴⁸ Penn recognized the source of part of the problem when he observed in 1700 that settlers in America wanted more liberty than they would have had if they had remained in England; yet he disapproved when his colonists tried to secure additional

⁴⁶ Letter of Penn to Friends in Pennsylvania, June 29, 1710 in Janney, *Life Penn*, 503.

⁴⁷ See: Michael Kammen, *Deputies and Liberties: The Origins of Representative Government in America* (New York, 1969).

⁴⁸ Examples of similar problems in Pennsylvania are: the dispute between the assembly and Governor John Evans over whether courts needed to be established by law or by proclamation; when the assembly maintained that establishing them by proclamation violated “the Rights of the Queen’s freeborn Subjects” (Assembly to Governor Gookin, April 15, 1709, *Votes House Pa.* v.2, 834); the assembly’s control over its own members; the right of the governor to dissolve the assembly, and objections to proprietary appointments of officers.

powers.⁴⁹ In part this was because he became more conservative with time, but it was also a consequence of his need as proprietor to protect himself by retaining power.

Disorder and rebellion plagued the proprietary colonies far more than royal or corporate colonies. Maryland residents overthrew their proprietary government five times and unsuccessfully challenged it twice more. New Jerseyites rebelled once, in 1672, and were on the verge of rebellion a second time when the Twenty-four Proprietors took over; in the same year, 1681, colonists and resident proprietors rejected Edward Billing's government in West Jersey. Disorder was common in both Jerseys after 1696, but reached a peak in 1700 and 1701 when mobs released prisoners from jails and rioted when courts opened in Newark, Shrewsbury, Middletown, Elizabeth, and Piscataway. North Carolina settlers refused to let one governor enter the colony, forcibly removed five from office, and tried unsuccessfully to oust three others. Colonists in South Carolina sent three governors packing, and after the turn of the century disorder prevailed there for several years. In 1680 the government of New York came to a virtual standstill when residents refused to pay taxes or customs duties. But it was the Pennsylvanians rather than New Yorkers who were the masters of non-violent resistance, successfully using this technique to force one governor to resign and Penn to replace another.⁵⁰

Despite having continually to contend with disputatious colonists Penn fared better than the other proprietors. Why? Perhaps Quakers were contankerous but drew the line at open and possibly violent rebellion. Thus, although they threatened Governor Evans, and argued that if a governor denied "the Queen's liege people" their privileges "such a Governor can not expect the people with Chearfulness to support him," they did not openly revolt.⁵¹ Further, Penn made more concessions than other proprietors.

Penn and the other proprietors shared a vision in which their grants became reflections of England replete with manors, farms, villages,

⁴⁹ Penn to Board of Trade, April 22, 1700 in Nash, *Quakers and Politics*, 238.

⁵⁰ See: Lurie, "Proprietary Purposes", Ch.9 Sect. II Rebellions. Pennsylvania reference is to John Blackwell and John Evans. Apropos of this kind of thing is the statement in Chalmers Papers Mss, NYPL: "Col. Hyde Governor of North Carolina was, by some discontented Inhabitants, transported to a desert island where he was starved to death."

⁵¹ Assembly to Governor Evans, January 15, 1707, *Minutes Council Pa.* v.2, 292.

towns, and cities. One difference was that Penn as a Quaker never saw these units as having defensive functions. The most interesting parts of this vision are their plans for manors which had medieval overtones, and those for cities which seem surprisingly modern.

When manors were erected, it was expected that they would be held by "lords" who utilized traditional forms in running their lands. These included such things as courts leet, courts baron, View of Frankpledge, advowsons, quit rents, alienation fees, and work performed for the lord on his desmene.⁵² Thus the steward of St. Gabriel's Manor in Maryland recorded in 1656 "that one Martin Kirke took" Margaret Brent "the lady of the manor in full court" where the steward delivered "by the rod, according to the custom of the said manor, one Messuage" and Kirke "having done his fealty was thereby admitted tenant."⁵³ A few manors in America used traditional forms and courts, but, though colonial records are incomplete, they seem to have been exceptions. Instead most land holdings became large estates operated by slaves or tenants without traditional trappings.

Like the proprietors of Maryland and Carolina, Penn made provisions for manors. The right to do so was granted in the charters of all three colonies. The Duke of York apparently intended to establish manors without charter provisions, and some of the New Jersey proprietors may have had the same intention. The effort to erect manors represented an intriguing attempt to transport traditional methods of social organization to the New World.

Penn made provisions for large estates in order to settle his province quickly and expected that some of these would be erected into manors with the right to hold courts leet and baron. He called the First Purchasers who bought large amounts of land (5,000 acres or more) "lords" and "barons." The Charter of the Free Society of Traders, accepted by Penn but later rejected by the Pennsylvania legislature, created from the Society's land the Manor of Frank. This estate had all the rents, customs, and services of traditional manors in England, the

⁵² *View of Frank-Pledge*: made members of the manor responsible for capturing law breakers. *Courts baron*: civil courts which also resolved questions of land tenure. *Courts leet*: criminal and administrative courts. *Advowson*—the right of the manor lord to nominate ministers. *Desmene*: the lord's own portion of the manor. *Alienation fees*: charges paid to the lord when a tenant sold his lease to another.

⁵³ Anne Sioussat, *Old Manors Colony Maryland* v. 1 (Baltimore, 1911), 21.

right to hold courts leet and baron twice a year, and View of Frankpledge. Other manors granted by Penn had powers on a more limited scale.

Penn anticipated establishing similar estates for himself and other members of his family, and he expected that they would function as manors in England with courts leet and baron. In 1701, when Penn rented out fifty acres at Pennsbury, the lease stated that the land was held "of the said manor and under the regulations of the court thereof, when erected." In the same year he ordered the land commissioners to sell portions of six proprietary estates "All of which lands to be disposed of out of my Manors aforesaid you shall subject to such Services as are customary in Manors in England, or as you shall otherwise see cause."⁵⁴

In Carolina under the terms of the *Fundamental Constitutions* seigniories and baronies were to be composed of manors; the records are not complete but it is unlikely that more than 14 were surveyed.⁵⁵ In contrast by 1689 approximately 67 manors had been organized in Maryland; in 1766 there were 23 proprietary manors.⁵⁶ In Pennsylvania 13 manors were surveyed before 1726, 11 of these for the proprietor or members of his family.⁵⁷ In New York 7 manors were

⁵⁴ Thornton and Seller, *A Map of Some South and East Bounds Pennsylvania* (London, 1681) in Blathwayt Atlas, John Carter Brown Library; Penn, *Some Account of the Province of Pennsylvania* (1681), 208-209; Charter of the Free Society of Traders, Samuel Hazard, *Annals Pennsylvania* (Philadelphia, 1850), 541-550; Instructions from Penn, February 8, 1687, *Minutes Board of Property Pennsylvania*, PA s.2 v.19, 12-13; Instructions by Penn to Commissioners, *Ibid.*, 191-192.

⁵⁵ See: Lurie, *Proprietary Purposes*, Ch. 6, 8, 11; Henry Smith, "Baronies South Carolina," *SCH&GM* v.13 (1912), 3-20, 120-125; v.12 (1911), 5-13, 43-52, 109-117; v.14 (1913), 61-80; v.15 (1914), 3-17, 149-165, 193-202; v.18 (1917), 3-36; Henry Smith, "Old Charles Town and Vicinity," *SCH&GM* v.16 (1915), 50-54.

⁵⁶ Sioussat, *Old Manors Colony Maryland*, 21; Thomas Copley to Baltimore, April 3, 1638, Calvert Papers, *Maryland Historical Society* v.28 (1888), 159; Charles and LaVerne Fenwick, "Ancient Manors of Saint Maries," *Chronicles St. Mary's* v.1 (1953), 8-11; John Johnson, "Old Maryland Manors," *John Hopkins University Studies* v.1 (1883), 20; Kinnaman, *Internal Revenues Colonial Maryland*, 2-23; Donnell Owings, "Private Manors," *MHM* v.33 (1938), 307-308; J.H. Pleasants, "Maryland Manorial Courts," in *Materials for the Study of Maryland Manors* (1944), 33; Hester Richardson, *Side Lights Maryland History* (Baltimore, 1913), 263; David Spaulding, "Thomas Gerrard: Study Lord of Manor," *Chronicles St. Mary's* v.7 (1959), 343, 349; Stiverson, *Poverty in Land Plenty*, 5.

⁵⁷ *Draughts of the Proprietary Manors Province Pennsylvania*. PA s.3 v.4 (1895); Instructions by Penn to Commissioners, November 1, 1701, *Minutes Board of Property Pennsylvania*, PA s.2 v.19, 191-192; Buck, *William Penn in America*, 214, 242, 366-367; Luther Heisey, "Penn's

granted by 1685;⁵⁸ while the records show at least one estate established in New Jersey that was called a manor.⁵⁹ For a brief time manors operated along traditional lines in Maryland, then there as elsewhere they became estates, the "lord" became a landlord owed rents only by his tenants.

The provisions of the various colonial charters and constitutions indicate that all the proprietors expected to establish cities that would function as ports, commercial centers, cultural centers, and capitals for their colonies. The proprietary charters, except in New York and New Jersey, granted the right to "hold, occupy, and enjoy" cities, towns, and villages, with all their "rights, royalties, franchises, and Jurisdictions." That the proprietors of New Jersey and West Jersey thought they had the same powers is evident from the provisions in their concessions granting their assemblies the power to erect forts, cities, towns, and villages. The Duke of York began with New Amsterdam, other proprietors proposed such cities as St. Mary's, Burlington, Perth Amboy, Charleston, and Philadelphia, as well as smaller towns in their colonies. However, it was Penn who had the most fully developed concept of the city he wanted to build in the New World; the Carolina proprietors ranked second, and the East Jersey proprietors also hoped to establish cities, but their plans were not on the same scale.

Shortly after Penn obtained his charter, when he published *Certain Conditions or Concessions* (1681) he had envisioned what his city would be like. He wanted a plot of 10,000 acres laid out for "a large town or city, in the most convenient place upon the river for health and navigation." When actually laid out Philadelphia contained 1,280 acres rather than 10,000 but it was still the most extensive proprietary city.

Proprietary plans for cities had a number of common characteristics.

Manors," *Lancaster County Historical Society*, v.42 (1933), 48; William Kain, "Penn Manorial System and Manors of Springettsbury and Maske," *PH* v.10 (1943), 226; Thomas Sergeant, *View Land Laws Pennsylvania* (Philadelphia, 1838), 196.

⁵⁸ Sung Bok Kim, *Landlord and Tenant*, 12-20, 36-43. Six more manors were created between 1686-1687. Some were manors in name only, others made provisions for manorial courts, but the records do not show that these courts actually operated.

⁵⁹ First List, 1670 ff "Some New Jersey Patentees Paying Quit Rents," *NJHS Proc.* v.48 (1930), 233. Ned Landsman, "Scottish Communities in the Old and New Worlds, 1680-1790" (University of Pennsylvania Ph.D. diss., 1979) describes Scotland in the late seventeenth and early eighteenth centuries, and how the Scottish proprietors of East Jersey tried to transplant their familiar land and social patterns to the new world. Scottish holdings in East Jersey apparently were estates and not manors.

After his initial instructions emphasizing "health and navigation" Penn sent additional orders requiring that streets be uniform. In providing for a grid pattern, he established an ordered pattern analagous to that contemplated for St. Mary's, Perth Amboy, and Charleston.⁶⁰ The concern with order is logical but another provision appears curious: that made in St. Mary's and Burlington, and proposed for Perth Amboy and Philadelphia, to have city plots of ten acres or more. Why did the proprietors desire such large lots? Their plans stated that the lots were to contain houses, orchards and gardens; the result would have been cities of farmers or residential districts containing the town houses of the gentry more closely resembling current suburbs than center cities. The plan is more understandable in the case of Penn than the other proprietors because of his hostility towards traditional city life. In *Some Account of the Province of Pennsylvania* (1681) Penn justified colonization by pointing out that it was not, as had been argued, the reason for the decreasing population in the English countryside. Rather this problem was caused by the movement within England itself from the country to the towns—towns which he portrayed as dens of iniquity, luring the country folk to corrupt lives. His "greene Country Town" would minimize the corruption caused by extreme poverty and overcrowding "and always be wholesome."⁶¹

Proprietary plans for cities were influenced by London and the problems Englishmen found there. This is especially pertinent when the plans for Perth Amboy, Charleston, and Philadelphia are considered because they were formulated while memories of the plague year, 1665, and the Great Fire of 1666 were still fresh in the planners' minds. The discussions and some of the specific plans generated by the massive effort to rebuild London after the fire provide important background for understanding proprietary plans for cities. For example, several of the suggested new ground plans for London, which were rejected, were similar to the grid patterns used in Perth Amboy, Charleston, and Philadelphia. In addition, in their tendency to be very detailed about the size and specifications for houses, the proprietors may have been influenced by the legislation passed in England in the wake of

⁶⁰ Penn, *Certain Conditions* (1681) in Hazard, *Annals Pennsylvania*, 516-520; Instructions 1681, *Memoirs HSP* v.2 pt.1, 216-217; Penn, *Some Account* (1681), 202-206. For other proprietary cities see Lurie, "Proprietary Purposes", Ch. 12.

⁶¹ Norman Brett-Jones, *Growth of Stuart London* (London, 1935), 312-315; Garvan, "Proprietary Philadelphia," 190.

the fire. Proprietary requirements for one house on a plot of land and this towards the middle, as well as their concern that streets be laid out ahead of time in rather large proportions, reflect London's attempt to correct problems created by narrow streets made smaller by intruding houses. While the proprietors planned for streets 50 to 100 feet wide, those in London which were altered became a mere 25 to 50 feet wide.⁶² The extensive nature of the Carolina proprietors' plans led the historian John Oldmixon to quip in his *History of the British Empire in America* (1708) that "it will be well, if the people of Carolina are able to build [Charleston] 100 Years hence, but the Proprietaries, as appears by their Constitutions and Instructions to their Governors, thought 'twas as easy to build Towns, as to draw schemes."

Penn's initial scheme for Philadelphia was also elaborate, but his city grew. In 1692 Governor Benjamin Fletcher of New York wrote to the Lords of Trade that Philadelphia had "become near equal to the city of New York in trade and riches."⁶³ In the eighteenth century it surpassed Boston and became the largest American city in the New World. Other proprietors were not as successful. Neither Burlington nor Perth Amboy ever achieved the success of Charleston and Philadelphia, while St. Mary's was a total failure. As a city planner Penn was a success. He drew settlers from urban areas in England, in large numbers. In the first nine years an estimated 4,000 people poured into Philadelphia ensuring its economic viability.⁶⁴ Despite the criticism levied against it by settlers and the aggravation this caused him, Philadelphia was Penn's greatest achievement.

Looking back we can say that Pennsylvania was a successful effort at colonization, and that William Penn was the most interesting and hard

⁶² Most writers agree that Penn was thinking of London. Anthony Garvan argued that Holme greatly modified Penn's original plan and that he was influenced by plans for Irish military camps. Others have suggested that Penn obtained his ideas from biblical or medieval cities. The checkerboard pattern used in Philadelphia was similar to some of the plans suggested for London after the fire and this seems a more logical source. William Comfort, *William Penn and Our Liberties* (Philadelphia, 1947), 108; John Reys, *Making Urban America* (Princeton, 1965), 15-19, 163. For London at the time of the fire see: Thomas Reddaway, *Rebuilding London after the Great Fire* (London, 1940); Brett-Jones, *Stuart London*; R.J. Mitchell and M. Leys, *A History of London Life* (Baltimore, 1963), 171-172, 184-188; John Summerson, *Georgian London* (London, 1945), 23-26, 36-39.

⁶³ Fletcher to the Lords of Trade, 1692, in Buck, *William Penn*, 213.

⁶⁴ Penn to the Board of Trade, 1697 in John Weidman, "Economic Development of Pennsylvania until 1723" (University of Wisconsin PhD diss., 1935), 92.

working of the proprietors. The irony of *all* the proprietary colonies was that they succeeded for king and colonists but not for the proprietors. The king secured territories at no cost, the colonists obtained a homeland. The proprietors consistently underestimated the costs of colonization and overestimated the possible profits. The reasons for their problems are complex but include distance, and the fact that in dealing with king and colonists they were neither fish nor fowl: "lords" without real power to cope with those above and below them.

So if Penn did not make a profit, put all of his plans into effect, or establish a colony where everyone lived in "brotherly love," his failure was typical. As a proprietor Penn was not unique. In spite of his extra efforts, what is most interesting is that his experiences so clearly mirrored those of other proprietors in New Jersey, New York, Maryland, and Carolina. But Penn worked harder, planned, worried, and perhaps cared more. In the end one suspects that Penn, because he started with the highest ideals, most deeply felt a lack of gratitude and respect for him and all the effort he had expended. A sense of this comes in his request, while attempting to negotiate the surrender of his province, that "some particular mark of respect. . . be continued to his family, for distinguishing them above the rank of those who have planted under him." The surrender fell through and Penn and his heirs had to be content with the title "proprietor." This is the only honorary title ever accorded Penn and his fellow colonizers.

We can say of Penn and all the proprietors what Wesley Frank Craven said of the Virginia Company: "No doubt, their greatest fault had been to set their goals too high. Certainly, their greatest virtue was persistence in the faith that great things could be done for England in America."⁶⁵

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⁶⁵ *Virginia Company* (Williamsburg, 1957), 57.