

A

COMPLETE HISTORY

OF THE

UNITED STATES OF AMERICA,

EMBRACING THE WHOLE PERIOD FROM
THE DISCOVERY OF NORTH AMERICA,

DOWN TO

THE YEAR 1820.

IN THREE VOLUMES.

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"QUI TRANSTULIT SUSTINET."

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DISTRICT OF CONNECTICUT, SS.

L. S. **B**E IT REMEMBERED ; That on the eighteenth day of January, in the forty-fifth year of the independence of the United States of America, Frederick Butler of the said District, hath deposited in this office the title of a Book, the right whereof he claims as Author, in the words following, to wit, "A Complete History of the United States of America, embracing the whole period from the discovery of North America, down to the year 1820. In three volumes. By Frederick Butler, A. M. Author of "A Catechetical Compend of General History,"—"Sketches of Universal History," and "Farmer's Manual." "*Qui transtulit sustinet.*" In conformity to the act of the Congress of the United States. entitled, "An act for the encouragement of learning, by securing the copies of Maps, Charts and Books, to the authors and proprietors of such copies, during the times therein mentioned."

CHARLES A. INGERSOLL,
Clerk of the District of Connecticut.

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HISTORY

OF THE

UNITED STATES.

CHAPTER I.

VIRGINIA.

FROM THE FIRST SETTLEMENT OF THE COLONY OF VIRGINIA
TO THE DISSOLUTION OF ITS CHARTER, AND THE COMMENCE-
MENT OF THE ROYAL GOVERNMENT, 1624.

WE have noticed, in the Introduction to the first volume, the attempts that were made in the 16th century, by Ribault and Laudonnier, under the influence and patronage of Coligni and Chattillon, (commanders engaged in the cause of the Huguenots in France,) to commence settlements upon the coast of North America. We have also noticed the adventures of Ponce Leon, the Spaniard, and Milandes the Murderer, who put Ribault and his little colony to the most cruel death. We have also noticed the revenge taken by Gourges, from France, upon those barbarous Spaniards, who sacrificed Milandes and his company to the sword and the gibbet; razed their forts, and returned to France. We have also noticed the adventures of Sir Walter Raleigh, near the close of this century, under letters patent from Queen Elizabeth, who landed upon the island of Wockocken, upon this coast, and called it Virginia, in honour of the virgin queen, which became the general

name of the coast from Florida to the 48th degree of North latitude.* We have also noticed the adventures of Sir Richard Grenville, who anchored upon the coast the next season, to prosecute the adventures of Sir Walter Raleigh ; touched at Wockocken and Roanoke, and left a colony of 108 men under the command of Mr. Ralph Lane. We have also noticed the successive attempts of Sir Walter Raleigh, and Sir Richard Grenville, to support this little colony with recruits and supplies ; together with the disasters they sustained from sickness, famine, and the murderous savages, down to the presidency of Capt. John Smith ; who succeeded Mr. Ratcliffe in the administration of the colony at Jamestown, 1607. The talents of Capt. Smith were well fitted to take the command of such a colony, in such perilous times ; when they were surrounded by hostile savages, who threatened their destruction, from without, whilst sickness, famine, and death, wasted and destroyed them within. Capt. Smith entered with spirit upon the arduous duties of his office, and put forth all his efforts to build up the town, and secure the sinking colony.

In the midst of those exertions which Capt. Smith was bestowing upon the colony, he was seized by some of the warriors of the great Powhatan, and carried in triumph into the presence of the sachem, who received him with all the pomp, majesty, and terror, which a savage sachem could assume. In the midst of this scene, Capt. Smith was laid prostrate upon the ground, with his head placed upon a large flat stone, ready to meet his doom by having his brains knocked out with the war club. The spectators, anxious to enjoy the triumph of death over their English captive, were viewing with impatience the executioner, as he came forward to gratify their wishes, and satiate

* Sir Walter was knighted by the queen as a token of her pleasure ; and elected member of Parliament for Devonshire ; his patent was also confirmed by act of Parliament.

their thirst for blood. The victim, bound for the slaughter, with a steady eye surveyed the bloody executioner, as he raised the massy club to dash out his brains ; when lo ! to the astonishment of the sachem and his assembled warriors, Pocahontas, the daughter of the sachem, and the child of his delight, sprang through the crowd, flung herself upon the ground, and placed her head upon the head of Capt. Smith, thus offering herself a victim to appease the rage of her father, and to release the unfortunate captive. Struck with astonishment at this mark of disinterested benevolence, he raised Pocahontas from the ground, dismissed her with kindness, and ordered Capt. Smith to be unbound, and restored to his liberty. In a short time he sent him back to Jamestown, under a faithful escort, loaded with presents for his family and friends.

Thus relieved from immediate, and impending death, by the hands of a female savage, then only thirteen years of age ; by an act of humanity that would have done honour to her sex in the most virtuous and enlightened christian community. Captain Smith returned to his little colony, which he found again, in the utmost possible distress and confusion. Hunger wasted their strength, discontent and mutiny destroyed their energies and their labours, and ruin inevitable stared them in the face. Captain Smith once more restored union, vigour, and effort to the colony ; and his little deliverer, with her little female attendants, made him frequent visits, loaded with such presents, as were useful to the sick, and thus succoured and supported the feeble ; and in the midst of this scene, a Captain Newport arrived, with supplies for the colony from the London Company ; this added to the steady friendship of Powhatan, and the regular supplies hereafter from the London Company, raised the sinking colony from the depths of ruin and despair, and opened a way for their future prosperity. Mr. Hunt, their clergyman, commenced a regular

course of public worship, with the administration of the ordinances of the gospel, in a house which they had erected, and devoted to the purpose; and harmony and order began to arise, upon the solid basis of civil and religious liberty.

Thus we have seen how God often makes use of the feeblest instruments, to produce the greatest events, and has thus given us one more example, that those are the most powerful causes which he delights to own and bless. The world are indebted to woman, in the character of the Queen of Spain, for the discovery of the New-World, and Virginia is indebted to woman, (in the character of a female savage youth,) for the preservation of her infant colony.

The prosperity which the colony now enjoyed, was soon disturbed by the folly of Captain Newport, by his vain and ostentatious visit to Powhatan; his profuse liberality in distributing his presents to Powhatan and his chiefs, which gave them such notions of the wealth of the English, that they became extravagant in the price of their corn, and other supplies, which they had occasion to purchase for their subsistence. These purchases became the more necessary, in consequence of the unnecessary delay which Captain Newport, with his crew, made in the colony. This calamity was followed with another still more severe; their storehouse caught fire, in the heart of winter, and consumed, not only their stores of provisions, but the flames communicated to the town, and destroyed their dwellings, and all that they possessed. The Reverend Mr. Hunt lost both his library and his clothes. They bore these calamities with fortitude, put themselves upon an allowance of meal and water, and braved the inclemency of winter, 1608. When the spring opened, the few that survived, entered again upon the labours of restoring their buildings and their meeting-house, and repairing their fortifications, and of giving new life and energy to the colony. In the midst

of this distress, Captain Nelson arrived from England, by the way of the West-Indies, (where he had been driven in a storm in autumn, and had wintered,) and brought a seasonable supply of provisions, with one hundred and twenty settlers to recruit the colony. Overwhelmed as they had been, with hunger, distress, and despair, through the winter, this arrival gave them new spirits, new energies, and new efforts. They continued their united labours through the summer, rebuilt their town, cultivated their fields, and in September, Captain Smith was chosen president of the colony, and entered upon the arduous duties of his office. Under his administration, the colony began to flourish and become prosperous. President Smith devoted himself to the good of the colony. Beset by the intrigues and crafty machinations of Powhatan, whose hostile disposition sought the ruin of the colony, President Smith baffled all his efforts, and reduced him to peace, and under this peace, they enjoyed a general tranquillity with the natives; but the factious spirit of the colony again revived, with the return of peace, and disturbed the prosperity of the colony. Bred to indolence, many of them were the creatures of a vain and idle speculation, who sought gold without labour, and wealth without industry, and when they realized their mistake, instead of changing their views and habits, they opened a clamour, that not only embarrassed President Smith in the administration of the colony, but reached even to London, and roused the feelings of the company. Notwithstanding President Smith had explored the principal rivers, and made a general discovery of the coast in South-Virginia, and notwithstanding that through his wonderful preservation by Pocahontas, and the smiles of Divine Providence upon his administration, the colony had been saved from ruin, and restored to its present state of prosperity; yet the London Company, intent on their avarice, and disappointed of their expected gain, petitioned

his majesty, and obtained a new charter, and appointed Sir Thomas West, (Lord Delaware, or De la War,) Capt. General; Sir Thomas Gates, Lieut. General, and Sir George Sommers, Admiral, &c.

Admiral Sommers set sail from England in May, with a fleet of nine ships and five hundred people, to strengthen the colony at Jamestown; but the admiral, with three noblemen, and fifty others, together with a ketch, were cast away on the Bermuda Islands, as has been noticed, where they spent the winter. When this fleet arrived in Virginia, they found the colony under President Smith, although prosperous, when compared to what they had been, yet far below their expectations; and their idle, factious, dissolute habits, when united to the prevailing factions of the colony, then distracted the administration of President Smith, and endangered not only the safety of the colony, but their own lives, and the life of their president, by their vices, corruptions, and licentiousness.

In the midst of these scenes, President Smith was so severely burnt by an explosion of gun-powder, that he was constrained to abandon his government, and return to England, September, 1609. President Smith had served the colony one year in this capacity, and now left them abundantly supplied for the approaching winter, both with corn and provisions; as well as a good supply of hogs, sheep, goats, and fowls, together with nets, boats, &c. for fishing. Jamestown could now boast of about five hundred inhabitants, comfortably accommodated in about sixty houses, well fortified, and defended by three ships, about twenty-four pieces of cannon, together with muskets, ammunition, &c. with necessary tools for labour. Before us is an example, which may well shew how much the happiness or misery of a people, under God, depends upon individual character. When President Smith had gone, all that was valuable to the colony was gone. The government de-

volved upon a Captain Piercy, a man of worth ; but whose feeble health unfitted him for those arduous duties, the factious state of the colony required. The vices of the planters provoked hostilities with the Indians, and free from the restraints of government, they became a prey to licentiousness and the fury of the savages, who hunted them upon every side, destroyed their settlements, stole their tools, carried off their stock, and reduced them to the utmost distress of famine, pestilence, and the sword. In this state of wretchedness, they fed on acorns, herbs, and berries, as well as the flesh of horses, and (if the historians of the first respectability can be credited) the dead bodies of their own companions.

Such was the deplorable state of the colony, when Admiral Sommers arrived with one hundred and fifty people from Bermuda. This recruit of men arrived without a supply of provisions, and the forlorn state of the colony not only forbade them to attempt to stay, but opened the way for them to abandon their dwellings, embark on board their ships, and sail for England. Near the mouth of the bay, Lord Delaware met them with his fleet and supplies from England, and by his influence persuaded them to return, and resume their dwellings, and submit to his government, 1610.

Lord Delaware, like President Smith, entered upon the duties of his government, with firmness and energy. He restored public worship, appointed all the necessary officers, established a due degree of subordination, and thus gave tone to his government, and industry, harmony, and plenty, to this ruined colony. The contrast here exhibited to the life, between faction, discord, idleness, dissipation, corruption, and their inseparable companion, distress ; and concord, industry, virtue, and enjoyment, is too striking to need any comment. The example here is not par-

ticular ; it is universal ; and in similar cases, and under similar circumstances, will ever prove the same.

Who that surveys with attention the remarkable coincidence of events, in the dispensations of divine providence, in scourging this colony for their wanton abuse of all those blessings which they enjoyed, at the departure of President Smith, and yet preserving them from utterly falling a prey to the distresses of famine and pestilence, as well as the fury of the savages ; preserved their houses from the flames in their absence ; and sent them a deliverer in Lord Delaware, who should restore them to their former prosperity, does not see the hand of God particularly displayed for the preservation of Virginia ?

Lord Delaware brought out one whole year's provisions, and the next year they were supplied by the London Company, with about six hundred people, two hundred cattle, two hundred hogs, as well as a great variety of necessary utensils for labour, to carry forward the improvements of the colony.

The government of Lord Delaware, may be fairly said to commence the history of Virginia. In 1611, Lord Delaware returned to England, by reason of ill health, and the government devolved upon Sir Thomas Dale, who began the settlement of Henrico, (which he called after Prince Henry,) and in 1612, eighty settlers arrived at Jamestown. Avarice was the moving principle that operated in settling the Colony of Virginia. The London Company had expended large sums of money, to promote the settlement of a colony for the advantages of trade ; but their expectations had hitherto been disappointed, which had occasioned the supplies to fall so much short of the necessities of the colony. The avarice of the adventurers had led most of them out into this wilderness, under the illusion of golden dreams, where they expected to riot in ease and wealth, free from the restraints of law, and the fatigues of labour :

hence their idleness, dissipation, and corruption, as well as their factions, brought on them poverty and ruin. These licentious habits required a severe and rigid military government ; this, added to their habits, was a check to their industry and enterprise, and kept the colony down for many years.

In 1613, God in his providence opened upon the colony, an event as striking and as interesting, as well as useful to the colony, as the salvation of Captain Smith by Pocahontas. A Mr. Rolf, (who became secretary to the colony,) became attached to the young Pocahontas ; obtained her affection ; offered her his hand ; and with the consent of her father, and Sir Thomas Dale, they were united in the bands of wedlock, April, 1614. Mr. Rolf, like a true and affectionate husband, sought to improve the mind of the young princess, both in useful knowledge and religion ; and by the assistance of their clergyman, the Rev. Mr. Whitaker, she soon acquired the English language ; embraced the christian religion, and was baptised by the name of Rebekah.

In 1616, Mr. Rolf, with his wife, visited England, where she was introduced to her majesty, and treated with great respect and attention at court, and amongst people of distinction in London. The Lady Rebekah died on her visit at London, and left one son, who was handsomely educated, and when he grew into life, came out to Virginia, where he lived in affluence and respectability, and died much lamented.

Some of the most respectable families in Virginia sprang from Mr. Thomas Rolf, the son of the Indian princess, Pocahontas, and the deliverer of Capt. Smith. This alliance secured to the colony, the friendship of the sachem Powhatan, and through him, a general peace and tranquillity with the Indians ; excepting such instances of individual collisions, as often took place between those lazy idle plant-

ers, who had rather rob and plunder the Indians, than work or starve ; these quarrels were frequent ; but they did not provoke war, because Powhatan, by his friendly influence, restrained the resentments of the Indians, and kept the peace.

About this time, Gov. Smith in the character of an adventurer, again visited the shores of America, and drew charts of the coast of North Virginia, to which he gave the name of *New-England*. Sir Thomas Dale was now called to attend to his own affairs in England, and in April 1616, he left the colony under the administration of Mr. George Yeardley.

When Gov. Yeardley came to the chair, he found the colony in a rising state ; their affairs under the wise and judicious administration of Gov. Dale, had begun to flourish and become prosperous ; indolence and licentiousness had been suppressed ; and industry, morals, and order had begun to prevail. The administration of Gov. Yeardley continued but one year, when he was superseded by a Mr. Argall, through the instrumentality of his friends in the London Company ; and in May 1617, he arrived in Virginia, and entered upon the administration of the colony. Armed with the powers of lieutenant-governor and high admiral of those seas ; he entered upon his administration as a despot ; fully bent on gratifying his power and avarice, at the expense of every thing that was for the peace and interest of the colony, or the happiness and prosperity of the people. Such was the tyranny and rapacity of this man, that under an administration of two years, he subverted all the improvements that had been made by a Delaware, a Gates, and a Dale ; and threw the colony back to the times of Gov. Smith, notwithstanding the efforts that had been made by the London Company, during a period of nine or twelve years. A period in which they had expended more than eighty thousand pound sterling,

and from the number of sixteen hundred and seventy souls, which had been carried into the colony, more than twelve hundred had been lost by sickness, savage barbarities, or an oppressive and rapacious government.

In the midst of this distress, the colony awaited with anxious impatience the arrival of Lord Delaware, (who they learnt had embarked from England, once more, to bless the colony, with his presence and government;) but again, their hopes were blasted; his lordship reached the mouth of Delaware Bay, where he died, 1618; and thus gave name to a bay, that has ever continued. This loss was severely felt by the colony, and although considered at the time as irreparable, yet God had not forsaken this people; a new change in the London Company, removed Sir Thomas Smith from the chair, and raised up Sir Edwin Sandys, as his successor. This change in the company, removed Governor Argall, and raised Sir George Yeardley to the government of the colony; and in May 1619, he arrived in Virginia, and resumed the government. That gloom which had overspread the colony was at once dispelled; hope beamed in every countenance, and joy swelled in every breast; they no longer groaned under the cruel oppression of an avaricious despot; but felt themselves free, and once more restored to the liberties of free-born Englishmen. This freedom and these liberties, were guaranteed to them, by a charter from the London Company, which confirmed the possession of all their estates, both real and personal, free from all those despotic services, with which they had been held, and thus laid the true foundation of liberty, industry, and enterprise in Virginia.

The complaints that had reached the London Company against governor Argall, had not only opened the eyes of the company to the true situation, and interest of the colony, but had drawn from them an order to Governor Yeardley, to arrest the ex-governor, and try him in the

colony, for mal-administration. Justice, in this instance, halted with both legs; Argall got a hint of the order, and made his escape, and the governor and the people, through their want of vigilance and energy, robbed justice of her rights, and Argall remained unhung.

During all this period, the planters had endured all their fatigues and distresses, as single men, and had settled, or attempted to settle, only six or seven towns; but this year the London Company sent out a new recruit of about twelve hundred and sixteen persons, and a colony of one hundred and forty women, who had a tract of land assigned to them, and who formed the settlement called Maids' Town. *Woman pawned her jewels to furnish Columbus for the expedition to discover America. Woman saved Virginia, by rescuing Captain Smith at the hazard of her life; and by the powers of virtuous affection, gave to the colony some of her best citizens—and woman, in the settlement of Maids' Town, gave to the colony new spirits, efforts, and energies.* The planters, true to their interests and happiness, as well as the best good of the colony, selected them wives from the new settlement of Maids' Town, which, (although it changed that settlement,) soon gave new life to all parts of the colony; and new scenes, new amusements, new habits of industry, and enterprise, as well as enjoyment, became universal. This was an eventful year to Virginia.

In June 1621, the governor summoned the first General Assembly, and as the election of the representation was made from towns, which held the rights and forms of boroughs, the lower house of assembly were termed the House of Burgesses, which continues to this day. This assembly dissolved martial law, in due form, and gave freedom, and the rights of the civil law to the planters of Virginia. The legislature of the colony forwarded an address to King James I. in which they recounted the distressing calamities

the colony had endured, from their first settlement down to that time ; a catalogue black indeed ; but as these distresses have been generally noticed, I shall wave a general summary, and proceed to notice the rising prosperity of Virginia.

This year King James ordered the bishops of England to make a general collection in their several dioceses, for the purpose of laying the foundation of a college in Virginia, for the promotion of literature, and the diffusion of the knowledge of God amongst the people. The order was carried into effect, and fifteen hundred pounds sterling were raised, and much more was expected to be raised ; this added to a grant of ten thousand acres of wild lands, laid the foundation of the first college in Virginia, and Mr. George Thorpe, one of the privy council of the king, as well as one of the London Company, was sent out as deputy to the company, and superintendant of the college. This school was designed not only to teach and christianize the colony, but also the Indians, and was calculated to be open equally for the children of both. Under all this apparent prosperity in the colony, God was pleased again, in the midst of plenty, to visit them with a mortal sickness, that swept off about three hundred of the people. This was a calamity severely felt ; but important as it was in itself, yet it may be considered as small, when compared with the order of King James to the London Company, to transport, at their own expence, one hundred convicts into the colony of Virginia. The licentiousness and corruptions of the colony, had hitherto subjected them to every degree of hardship and distress ; but this addition, by the order of the king, subjected them to a reflection from Mr. Styth, their historian, in which he is pleased to pass the severest reflections upon one of the finest portions of British America.

In 1622, private adventurers in England fitted out twenty-one ships, which conveyed thirteen hundred passengers to Virginia, and Sir Francis Wyat was sent out as governor to the colony. Those early attempts that had been made to introduce some form of religious worship into the colony, had long since been destroyed through the licentiousness of the planters; and the new addition of convicts to their numbers had increased the evils, but the London Company had now made one grand effort, through the instrumentality of Sir Francis Wyat, to give a christian form to the colony, and lay the foundation of such institutions, as might train up the rising generation, to the knowledge and worship of the one true *God*.

In the midst of these efforts and labours, Powhatan had died, and was succeeded by the Sachem Opecancanoagh. This prince was of a haughty imperious temper, who hated the English, and sought their destruction. He took advantage of that familiarity with which the Indians visited the English settlements, to become acquainted with their manner of life, and learn the security into which they had fallen. Opecancanoagh entered into a general conspiracy with the neighbouring Indians, to exterminate the English, and destroy their settlements. On the 22d of May, the whole confederacy entered the settlements of the English at mid day, and at a signal given, the work of butchery and of death was begun; and in less than one hour, about three hundred and forty, of all ages and sexes, fell victims to the blood-thirsty rage of these merciless savages. In the midst of this carnage, a friendly Indian disclosed the plot, to a Mr. Pace, whom he was destined to kill; and Mr. Pace gave seasonable warning to Jamestown, and elsewhere. The people stood to their arms, and collecting from the scattered plantations which had not been attacked, they assembled in the principal towns, and thus secured themselves from the further destruction of the savages; but

their cattle were driven off, their mills, iron-works, and even their houses upon their plantations, were burnt, pillaged, and destroyed. In this distressing calamity, Mr. Thorpe, the superintendant of the college, was killed, the college lands abandoned, and the institution thus destroyed in its infancy. Great was the distress of the colony, a distress which many never recovered, and which as a colony they did not for a long time recover.

At this time the Plymouth Colony in New England would have been lost with famine, had they not been relieved by Captain Henry Hudson, who had made a settlement at the mouth of the river that bears his name.

Roused to a sense of their folly as well as their wrongs, the colony, armed for the combat, entered the villages of the savages, and in their turn laid waste their dwellings, put the inhabitants to an indiscriminate butchery, carried off large quantities of corn, and returned in triumph to their settlements. This gave a severe blow to the Indians, which wasted them with famine and distress the next winter; but when added to the plentiful crops of the English, gave them peace and plenty, 1623.

This year, 1624, King James I. issued writs of *Quo Warranto* against the London Company, and in July the colony was dissolved; their records, books, and papers were all seized and removed, by the ministers of the king. Thus this little colony, which had expended so much blood and treasure, and endured such incredible hardships, to plant the colony of Virginia, were broken up, thrown into a state of nature and ruined, by the act of that sovereign who had never expended a cent for the planting, or promoting this infant settlement. *Such, so fickle, and so dangerous are the wills of monarchs.*

We have noticed the establishment of a regular government, under the General Assembly of Virginia, in 1621; this government decreed that the colony should hereafter

be governed by two supreme councils ; the one called the Council of State, subject to the controul of the council in England ; and the other called the General Assembly, to be convened annually by the governor, or oftener, as circumstances may require. The General Assembly was to consist of the Council of State, and two Burgesses to be chosen out of every town, hundred or plantation, which assembly thus formed, should make all their decisions by a majority of votes, reserving to the governor a casting vote. The powers of this assembly to be strictly legislative, and all laws by them enacted, to be in strict conformity to the laws of England. No laws were to become binding, until approved by the company in England, and returned under the ratification of their seal. It was also provided, that no laws of the company in England should bind the colony, unless ratified by the Colonial Assembly. The settlement of this colony down to the year 1621, had cost the company more than 150,000*l.* sterling ; besides the expences of private adventurers ; and more than 4000 lives had been lost ; but all was now absorbed in the prerogative of the crown.

CHAPTER II.

NORTH-CAROLINA.

DISCOVERY—ORIGIN OF ITS NAME—RISE AND PROGRESS OF THE COLONY.

WE have noticed in the preceding chapter, the discovery of Virginia, the origin of its name, and the rise and progress of the colony, down to the dissolution of their charter under King James I. in 1624. We have also noticed the discovery of Florida, by Ponce de Leon; the origin of its name, and the attempts made to settle it. A singular anecdote that led to this discovery, as related by Dr. Williamson, in his ingenious History of North-Carolina, may not be uninteresting.

“Florida, (says Dr. Williamson,) was discovered in the year 1502, by an accident that would be classed among the fables, not with correct history, if the foibles and follies of men, did not compel us to believe many other stories, equally at variance with nature and sense. The diligent and persevering research after the philosopher’s stone,* had long been the opprobrium of chemistry; and many a visionary, at this hour, continues in chase of the perpetual motion, a thing impossible in nature.

“It had been reported, a few years after the discovery of America, that there was a fountain in Bimini, one of the Bahama Islands, that had the marvellous and happy power of restoring youth and vigour to aged persons, who should bathe in its waters. Jean Ponce de Leon, a wealthy, but aged inhabitant of Porto Rico, believed the story, and sailed in quest of the grand restorative. Stretching to the westward, he discovered land, in March, the sabbath before

* This was supposed to turn all that it touched, into Gold.

Easter, which the Spaniards call Pargua de Flores ; for which reason he called the country Florida. Ponce de Leon dipped himself in every stream, or fountain that he saw ; no Bramin or Mahomedan could match him in ablutions ; but he returned an older man. Failing in his attempts to recover youth, he resolved to increase his wealth at the expence of the natives. For this purpose he obtained a commission to explore and conquer, and in 1513, he entered upon the coast of Florida with a body of men, and began a settlement, as has already been noticed, which laid the foundation to the claims of Spain."

This anecdote goes to shew, not only the disposition of that age to ascribe to the new world, every description of the marvellous ; but also to shew the high degree of credulity that prevailed, and their combined effects in producing a spirit of adventure.

We have noticed also, in our last chapter, the adventures and discovery of the coast between Florida and Virginia, by Ribault, under the patronage of Chattillon, Admiral of France ; his discovery of the River St. Mary's, now the southern boundary of the United States. We have also noticed the further discoveries upon this coast the next year, by Laudonnier, and the name he gave to the country, in honour of his master, Charles IX. king of France, and called it Carolina, 1563.

The successive adventures upon this coast have all been noticed under Virginia, because this whole coast was then known only by that name to the English.

Before we enter upon a detail of the adventures that awaited the first settlers of North-Carolina, we will notice one more anecdote related by Dr. Williamson, in the first discovery of the coast. Speaking of the adventures of Sir Walter Raleigh upon this coast, in the year 1684, he says, " They landed at the mouth of an inlet, which they

took for a river, and returning thanks to God, they took possession of the country for Queen Elizabeth. The land was sandy ; but every tree and shrub was loaded with grapes, and the low ground was covered with tall cedars. They soon discovered that they were upon an island about twenty miles long, which the Indians called Wockocken. On the third day after their arrival, three of the natives appeared, for the first time, on the beach, and received some presents. On the following day, forty or fifty Indians approached the ships. They left their canoes at a small distance, in the cove, and presented themselves on the beach. Granganimo, the sachem, was amongst those Indians ; his rank appeared by his deportment ; he took his seat upon a long mat ; and four of his chief men seated themselves upon the other end of the mat ; the rest of the Indians stood at a respectful distance. The masters of the ships landed with some of their people in arms. The prince made them signs to seat themselves near him. He then touched his head and breast, and then touched theirs, to signify his desire of mutual confidence and friendship ; and at the same time made a long speech, which they wished in vain to understand. They gave him sundry presents, which he thankfully received ; and they gave presents to his officers, who attended him ; but the prince took the whole to himself. The next day a profitable trade was opened with the natives ; twenty skins, to the value of twenty crowns, were received for a tin dish, and other articles in proportion, &c. After a few days, Granganimo introduced his wife and children : she was ornamented with strings of pearls ; and wore a cloak and apron of skins, dressed in the fur. When the ships had been some time at their anchorage, one of the captains, with seven or eight of the adventurers, proceeded in a boat towards Roanoke Island, where they arrived the next day. On the north end of the island was a small town, consisting of eight or ten houses, built of

cedar, and surrounded with pallisadoes, for defence against an enemy. Granganimo lived in that town ; he was not at home ; but the untaught civility of his wife left the captain and his company nothing to desire. She ordered her people to carry them ashore on their backs. Their boat was drawn up, and their oars secured. She placed her guests by the fire to dry their clothes ; for it was rainy. Some of her women washed their stockings, and others washed their feet. Their clothes being dry, she conducted them into another apartment, and gave them a plentiful dinner, consisting of roasted venison, hommony, fish, mellons, and sundry fruits. They used earthen pots, and wooden dishes. While the strangers were at dinner, two Indians entered the house with their bows and arrows ; the white men looked at their arms. The princess did not want any further remonstrance. The Indians were turned out, and their bows were broken. She intreated her guests to stay all night in the Palace ; but they launched their boat, and dropped a grapnel at some distance from the shore. She observed, with marks of grief, that she had not gained their confidence ; but she pressed them no further. Their supper was sent to the boat, and they were supplied with mats, as a defence from the rain ; thirty or forty men and women were directed to watch near them all night on the beach."

"The particulars of this visit have been detailed, because the conduct of that woman is a correct portrait of the female character, and a specimen of that attention, which the stranger and the afflicted may expect to receive from woman in any part of the world."

These strangers, at their departure, took on board two natives, and carried them to England, where one of them learnt the English language, and became a useful interpreter. The friendship of Mantineo, continued faithful to the English to his death.

In 1585, a squadron of seven ships sailed from England, for the coast of Virginia, under the command of Captain Ralph Lane and Sir Richard Grenville, as was noticed under Virginia. This squadron reached the coast, and anchored without the bar, at Wockocken, on the 26th of July. They immediately began to explore the coast in their boats, and crossing the sound, discovered an Indian settlement, near to the mouth of Pamlico River, and another near the mouth of the Neus, and from thence they directed their course to Socotan, (near to where Beaufort now stands,) where they were cordially received by Wingina, brother of Granganimo, and from thence they returned to Aquascosack, (an Indian settlement on the Neus,) to demand a silver cup that had been stolen upon a former voyage. The Indians conscious of guilt, and apprehensive of danger, fled to the woods, and left their village at the mercy of the English. These merciless adventurers, to revenge the loss of one single silver cup, set fire to the village, and reduced it to ashes.

This wanton abuse of power, sowed the seeds of future judgments and calamities, and kindled in the breasts of the savages a spirit of revenge, which none but a savage ought to feel, and which even a savage ought not to harbour, much less execute. The experience of ages, should have taught such men as Captain Lane and Sir Richard Grenville, not to have wantonly kindled a savage fire, which nothing but savage revenge could ever extinguish; but they were blind to all former example, and deaf to nature's remonstrances. Soon after this event the ships began to return to England, and in the month of August, Sir Richard returned himself. The lading they obtained for a return voyage, was red cedar, sasafra, and peltry. Governor Lane continued at the head of this little colony, who were settled down upon Roanoke Island, where they remained remarkably healthy through the season.

In autumn and winter, Governor Lane explored the coast, and visited the Indian tribes extensively. He visited the Chesopians on Elizabeth River; the Moratucks on the Roanoke; the Chowanokes, on the Chowan; and visited the coast as far as Cape Hatteras. All the Indians upon the eastern borders of Albemarl Sound, were called Weapomiocks, and Okisko was their chief.

We have noticed the death of Granganimo, and the accession of Wingina his brother. This chief plotted mischief and ruin to the English. Monatennon also, sachem of the Chowanokes, attempted to divert Governor Lane by distant adventures, either to draw him from his coast, or divide his force, so that he might destroy such as remained, and that the insulted Indians, who had been burnt out, might destroy the others. To effect this, he represented to Governor Lane, that at the distance of three days' journey, lived a powerful king or sachem, whose country abounded with pearls, and offered him guides to conduct his journey: but gold, not pearls, was the object of Lane and his company. When Monatennon discovered the object that the governor had in view, he observed that at the head of Moratock, a branch of the Roanoke, was the land of gold, distant thirty or forty days' journey. That this river sprang from a great rock, that was so near to the salt water, that the spray dashed across in the storms, and injured the fresh water in the river. This story of Monatennon was confirmed by his son Skiks, who described such quantities of copper ore upon this river, as being much purer, and of a lighter colour than usual, that led the governor to fancy himself in the neighbourhood of the great South Sea, and dream of golden mines, whose ore was washed down the stream of the Moratock. Full of these golden dreams, the governor seized the sachem, in the midst of a people that could boast of three thousand warriors, determined to hold him as a hostage, whilst he as-

ended the river ; but whilst he was obtaining a pilot from the coast, he dismissed the sachem, and made a captive of his son Skiks. From this hostile treatment of the governor, the Moratock Indians took the alarm, and fled into the country. The Mangoacs followed their example, and the river was cleared of every Indian, and with them all sustenance was removed ; but on the third day the savages returned, and commenced an attack upon the governor and his company, which compelled him, after making a fruitless resistance, to abandon his golden dreams, and hasten down the river. On his way he touched at Chiponock, (where Edenton now stands.) where he obtained a supply of fresh fish from the wares of the flying savages, and on the next day returned to Roanoke Island.

During the absence of the governor, Wingina attempted to carry into execution his part of the plan, and destroy the English that remained, by deserting the island, and thus cutting off their support ; but the return of the governor changed the plan, and Wingina entered into a deep conspiracy, amongst the neighbouring chiefs, and invited them to a grand festival. At this festival he collected fifteen hundred warriors, who, at a given signal at a given time, were to set fire to the governor's house, and murder the governor, and this was to be the signal for a general murder and conflagration. At this critical moment, Skiks, the generous captive, disclosed to the governor the whole plot, and saved the colony. The governor commenced an attack upon such Indians as were at hand, and destroyed their canoes, and in the morning, he crossed over the Bay, and fell upon Wingina, and put him, with his attending chiefs, to the sword, and thus saved his colony. At this eventful moment arrived in the road, Sir Francis Drake, who offered the colony a supply of provisions for four months, for one hundred men, and boats, with a vessel of a good size ; but all to no purpose ; the spirits of the

colony were low, both from the disasters which they had suffered, and the still greater disasters they apprehended might await them, from the subtle machinations of the hostile savages, who were fired with a spirit of revenge, for the wanton abuse which they had suffered. The colony, with their governor at their head, broke up, embarked on board the fleet, and returned to England, June 19, 1586.

Shortly after the sailing of the fleet, a large vessel arrived, with stores for the colony ; but they were not to be found, and they all returned safe to England. Ten or fifteen days after this, Sir Richard Grenville arrived with three ships, with supplies for the colony ; he touched at Hatterask, and sought in vain for the colony, amidst their deserted village. He landed fifteen men with stores for two years, and returned to England. The next spring this little colony were visited by the fleet, and colony sent out by Sir Walter Raleigh under Governor White, as has been noticed. Governor White, agreeable to his instructions, attempted to remove the little colony of Roanoke, and to fix a permanent colony in Virginia, upon the waters of the Chesapeake ; but Simon Fernando, a Spaniard, commanded the largest vessel, and through his obstinacy and misconduct, the whole enterprise was defeated. Governor White sent to enquire after the colony which had been left by Sir Richard Grenville ; but they were not to be found. He next attempted to make a treaty with Wingina's Indians ; but this they refused ; he then, at the request of the little colony at Roanoke, returned to England, where he obtained another fleet, which was ready to sail in the spring ; but were prevented by the Spanish war, and the Invincible Armada.

Sir Walter Raleigh had now expended about forty thousand pound sterling, in his attempts to settle a colony in America, and under the pressure of the Spanish war, he sold out all his claims, with his patent, to Sir Thomas

Smith, and his associates, who formed the London company, which has been noticed. Such was the anxious solicitude of Sir Walter Raleigh, for the preservation of the little colony at Roanoke, that immediately after the defeat of the Spanish Armada, he obtained permission to dispatch three privateers into those seas, to cruize against Spanish commerce, and for the express purpose of carrying out Governor White to the colony. The governor sailed ; but by certain adverse events, he sailed without one planter to attend him, and after capturing several Spanish prizes in the West-Indies, arrived at Roanoke. He landed in search of his little colony, but they had fled to Croatoan, as was discovered by a certain mark upon a tree ; their houses were demolished ; but their fort remained a solitary monument of their former existence. It was agreed to sail for Croatoan in quest of the colony ; but a violent storm obliged the vessels to stand off to sea, to get clear of the land, and when the storm was over, they steered back to England. Thus this little colony was abandoned to its fate, notwithstanding the repeated efforts Sir Walter had made, from time to time, to afford them relief ; and they ultimately perished.

Should the enquiry arise in the minds of my readers, why a colony could not be planted in these mild regions of the south, without all this expence of treasure and of lives ?—The answer is clear—their manners were bad—being haughty and imperious, they provoked ruin by their abuse of the savages. Their morals were bad—they were destitute of religion and of moral principles, they were unjust to the savages, and they were unjust to each other. Their habits were bad—born and educated in habits of indolence and vice, they had neither the knowledge nor the disposition to provide for their wants by industry and labour. Eager in pursuit of gold, they ransacked the country in quest of their darling object, and when their

stores of provisions were exhausted, which they had brought out with them, instead of having stores of their own providing, they were driven by hunger to plunder the savages, which provoked revenge, wars, and destruction.

Thus we have seen the force of evil habits, and a set of men starving in a mild climate, upon a rich and fertile soil, where the active and industrious planters of America would have grown rich, and who under circumstances less favourable, have even grown rich, by taming the savage, clearing the forest, cultivating their lands, planting towns, and multiplying and extending commerce. Such, and so powerful are the force of *industry, religion, morals, and good habits.*

Under these multiplied calamities, numerous adventurers, attempted, and continued to attempt, to plant colonies in the regions of the south, for about one whole century, before they effected the first permanent establishment, at Jamestown, in Virginia, 1610.

We have noticed the rise and progress of the colony at Jamestown, in Virginia, down to the time of the dissolution of their charter, and the royal assumption of their government. The prevailing religion in this colony, was the Episcopal, or the Church of England.

During those religious persecutions in England, that raged in the reign of James I. and Charles I. many Quakers fled into exile, and attempted to take refuge in the colony of Virginia; here they found the same persecution which they had left, and like Roger Williams in New England, they fled into the wilderness, and took refuge in North-Carolina, and planted a colony upon Albemarle Sound. Thus the adventures of Sir Walter Raleigh, opened the way for the settlement of North-Carolina, through the persecuting spirit of the colony at Jamestown, in Virginia.

James I. had just divided the colony granted to Sir Walter Raleigh, and then revoked their charter, by which

means it reverted back to the crown. Charles I. upon his accession to the throne, first granted to Sir Robert Heath, (his favorite,) all the coast lying between thirty and thirty-six degrees of north latitude, and extending west to the Pacific Ocean; also all the Bahama Islands, not actually possessed by some christian prince. This grant was made to Sir Robert, his heirs, and assigns, for ever, as true and absolute lords and proprietors of the said region and territory, saving the faith and allegiance due to the crown. This territory, thus granted, was erected into the province of Carolina. Upon the 23d of Charles I. Sir Robert granted this province to Lord Matrovers, afterwards Earl of Arundale and Surrey: but the civil wars that destroyed this reign, prevented any settlement in Carolina under the new grant. Upon the accession of Charles II. the patent of the Earl of Arundale, was declared void, "because the conditions of the grant had not been fulfilled." Charles II. made a new grant of the same district to Edward Earl of Clarendon, George Duke of Albemarle, William Earl of Craven, John Lord Berkeley, Anthony Lord Ashley, Sir George Carteret, Sir John Calleton, and Sir William Berkeley, conveying in due form all the lands lying between the 31st and 36th degrees of north latitude, and the Virginia Seas and the Pacific Ocean; bearing date March 24, 1663. This charter was afterwards enlarged so as to include the 29th degree of north latitude. Under this charter Carolina began to flourish, and continued to flourish, until she became respectable amongst the colonies. Before we pursue the rise and progress of Carolina, we will bring forward the colony of Virginia.

CHAPTER III.

VIRGINIA CONTINUED—FROM THE DISSOLUTION OF THEIR
CHARTER BY JAMES I. TO THE YEAR 1675.

WE have noticed the rise and progress of the settlement of Virginia, from its first discovery down to the dissolution of their charter by King James, 1624. We have also considered the rise and progress of Carolina, in connection with Virginia, down to the time of the charter granted to the Earl of Clarendon, the Duke of Albemarle, and others, by King Charles II. 1663. We will now bring forward the history of Virginia, to an adequate correspondence, before we commence the history of New-York, in order to open the way for a more correct understanding of that part of the history of the two colonies, in their contested claims upon the lands contiguous to the River and Bay of Delaware.

King Charles I. upon his accession to the throne of his father, granted a new charter, appointing a new governor and council for Virginia, bearing date May, 1625. This charter vested the governor and council with absolute powers, to enact and enforce laws, levy and collect taxes, enforce payments, and even to transport offenders in Virginia into England for trial, and all this without even the forms of limited or restricted power. To enforce this arbitrary and despotic government, King Charles appointed Sir John Harvey as governor of Virginia; a man as severe and despotic as his master; a man who exercised, with impunity, every degree and description of oppression; he not only granted new lands at pleasure; but actually re-conveyed lands already granted and occupied, to the great grievance and distress of many of the settlers. He also levied heavy exactions upon the colony, which, whilst they enriched his own coffers, destroyed the peace, interest,

and prosperity of the colony. Stung with indignation at this outrage upon their rights, the colonists had the spirit to arrest Governor Harvey, and send him prisoner to London, and sent two agents to support their charges against him.

The king resented this act of the colony, as an outrage upon his authority, in the person of his governor, dismissed the suit, vested the governor with new and more despotic powers, and sent him back to his government, January, 1639. Governor Harvey entered with new energies upon the theatre of his new powers, but the clamours of the people were so loud, and so general, that the cries of their oppression reached the ears of the king ; he listened to their wrongs, recalled the despot, and appointed Sir William Berkeley as his successor, April 1639.

In the midst of that confusion and distress which Gov. Harvey had occasioned in the colony, the savages became indignant at the encroachments he was making, by his grants, upon their lands, and determined to take revenge upon the colony, for the wrongs they had suffered. Opo-cancanoaugh, who had succeeded Powhatan, entered into a new conspiracy, much like the former, to exterminate the colony at a blow. The tribes assembled at the given time, and fell with savage fury upon the defenceless, unsuspecting settlements, upon James' River, York River, and others ; and at a blow murdered about five hundred people. This overwhelmed the colony with gloom and despair, and when added to the oppressions of Harvey, gave them such a check as many years could not recover.

This change in their administration, produced an entire change in their policy and government. Gov. Berkeley called an assembly of the people upon the plan of the old charter, which opened the way for the restoration of law, order, and civil rights, agreeable to the laws of England, and with the restoration of liberty, industry and enterprise

began to revive. These blessings would have given new enjoyments to the colony ; but the murder of five hundred people, in cool blood, called for that justice which could not be obtained of a savage, but by the point of the sword. To the sword they appealed ; and although the appeal was just, yet a long and bloody war ensued before the savages were humbled, and brought to bow to the sceptre of justice, and guarantee a firm, safe, and permanent peace.

During this period, the civil war in England had subverted the monarchy, and Oliver Cromwell wielded the sceptre, as Lord-High-Protector over the commonwealth, 1649. In this character, Cromwell claimed and received the submission of the colonies in North-America, excepting Virginia : she, then under the administration of Governor Berkeley, refused him this homage. Cromwell, who knew how to command, was resolved to be obeyed ; and accordingly he dispatched a fleet under the command of Capt. Dennis, to the coast of Virginia, to reduce the colony to obedience. Governor Berkeley made a firm and manly resistance, according to the feeble means, which he could collect, and obtained of Captain Dennis an honourable capitulation ; which secured to the colony all the rights and privileges of their old charter ; and they acknowledged the sovereignty of the commonwealth of England, and the colony of Virginia as faithful and loyal subjects. This act of submission relieved them from further pressure of war ; but they continued to feel the arm of insulted power in Cromwell ; he rigidly enforced an act of Parliament, which he had obtained upon his accession, “That the plantations should not import or export any foreign commodities, except in ships built and navigated by Englishmen ; and that they should not hold correspondence with any nation, or colony, not subject to England.” Although the submissive disposition of the other colonies had obtained for them some indulgence, and even a free trade under

this act, yet Cromwell enforced it with rigour upon Virginia. This severity humbled the colony, and the frequent changes in her governors during the administration of the Protector, kept her down ; and whilst she saw with indignation the commercial prosperity of her neighbours, she was compelled quietly to submit. Upon the death of Cromwell, 1659, and the accession of Charles II. 1660, the colony of Virginia hoped to enjoy a free trade in common with the colonies of New-England ; but their hopes were disappointed: the rigors of the act of trade, stiled the Navigation Act, were still enforced, and the tobacco trade of the colony was greatly injured. Virginia indulged these hopes with the greater confidence, not only because she had resisted the usurpation of Cromwell ; but because she had expressed her attachment to a monarchical government, in the year 1642, by the following legislative resolve—" That as they were born under a monarchy, they would never degenerate from the condition of their births, by being subject to any other government."

When Gov. Matthews, who was appointed by Cromwell under the commonwealth, had died, Virginia taking advantage of the weakness of the government of Richard Cromwell, in the year 1659, proceeded to elect Sir William Berkeley as their governor, and published their declaration in favour of Charles II. Sir William, upon the strength of this, ventured to proclaim Charles II. as king of England, Scotland, France, Ireland and Virginia, and thus anticipated the restoration several months before it was accomplished in England. Virginia paid severely for her attachment to monarchy ; her lands and even her plantations had been, and continued to be split up into divisions, and conveyed away by proprietary grants, and thus her ancient charter was abrogated, and her chartered rights wantonly destroyed. The colony complained, and even remonstrated to the king. They presented to his majesty a humble ad-

dress, in which they spread their grievances before the throne, and prayed for relief from their burthens, and the restoration of their ancient chartered privileges. In their address they stated that the pressure on commerce sunk the price of tobacco so low, that they were unable to pay their taxes, and the poor were unable to feed and clothe their families ; but vain were their remonstrances ; deaf was the king, and desperate was their cause.

In the midst of these distresses, the Dutch began to rival them in their trade with the natives, and divert it to New-York. This provoked their resentment, and they abused the Indians ; they in their turn resented the injury, and murdered the traders ; this provoked war, and Virginia saw herself in the midst of poverty, distress, war, and despair. We will now bring forward the colony of New-York, down to this period, 1675.

CHAPTER IV.

NEW-YORK.

DISCOVERY OF NEW-YORK—RISE AND PROGRESS OF THE COLONY.

WE have noticed the general discovery of the Atlantic shores of North-America, by the different adventurers, down to the settlement of Virginia and Carolina ; we have noticed the patent of King James I. granted to the colonies of North and South Virginia, bearing date April, 1606. This patent embraced all lands between the 34th and 41st degrees of north latitude, and extended one hundred miles back into the main land. We have noticed the patents that divided this grant between the London and Plymouth Companies, which opened the way for the settlement of Virginia and New-England. The settlement of New-England under the Plymouth Company, has been noticed, and carried forward to the peace of 1763, as a confederacy distinctly marked from the settlement of the other colonies. This patent, which was previously called North-Virginia, extended from the 38th to the 45th degrees of north latitude ; and although part of the colony of New-York is herein twice conveyed, yet New-England, in running the division line with New-York, never claimed below the 41st degree of north latitude.

In the year 1608, Captain Henry Hudson, as has been noticed, under a commission from King James I. discovered Long-Island, and the river in the colony of New-York that bears his name, and returned to England. In 1610, Captain Hudson, (for some reason not very satisfactorily explained,) sailed from Holland in the service of the Dutch, and again visited his former discovery ; and in the year 1614, the States-General granted a patent to several merchants, for an exclusive trade upon the North, or Hud-

son's River, who built a fort at Albany, and another at Manhadoes, (now York Island.) At this time Sir Thomas Dale, governor of Virginia, sent Captain Argall to dispossess the French at Port Royal, in Novascotia, who having executed his commission, visited the Dutch settlement at Manhadoes, and took possession in the name of the king of England, and reduced it to the government of Virginia.

In 1623, the Dutch, who had never regarded the conquest of Captain Argall, or the governor of Virginia, continued to enjoy their trade ; and to render this yet more profitable, they attempted to engross the trade of Connecticut River, and to this end they erected a trading house at the mouth of a small stream, where Hartford now stands, and called it the Hirse of Good-Hope. In 1621, the States-General, by letters patent, granted this district of country to the Dutch West-India Company, under the name of New-Netherlands. Walter Van Twiller, who was their first governor, arrived in the year 1629, and took possession of Fort Amsterdam, at Manhadoes, and entered upon his government. Gov. Van Twiller published his commission, in the following stile.

“ We, Director and Council, residing in New-Netherland, on the Island of Manhattans, under the government of their High Mightinesses, the Lords, the States-General of the United Netherlands, and the privileged West-India Company.”

The controversy, concerning the trade and possession of Connecticut River, which sprang up between the Dutch and the colony of Connecticut, has been fully noticed under that colony. The Dutch claimed not only Connecticut River, and the lands lying west of it, as far as the Hudson ; but, to the south also, as far as the Delaware Bay ; including all lands on the Delaware, (then called South)

River. They claimed also, to the north, as far as the St. Lawrence, or River of Canada, and called the country north-west of Albany, Terra Incognita. In 1638, William Keift appears as governor of this colony, and enters into the controversy about lines and boundaries.

In 1640, the English attempted to possess themselves of Long-Island ; but the Dutch, under the command of Jan Jansen Alpendam, dispossessed them, and held the jurisdiction.

In 1643, the famous New-England League commenced, between the four colonies of Massachusetts, Plymouth, Connecticut, and New-Haven ; and Connecticut and New-Haven attempted to arm the League against the Dutch, not only to punish them for furnishing the Indians with arms, but to drive them from their borders. Massachusetts declined the enterprise, and New-Haven applied to Oliver Cromwell, then Lord-High-Protector upon the throne of England : Cromwell listened favourably to the application, and attempted to make provision to carry the plan into effect ; but the pressure of his affairs prevented.

In 1646, P  ter Stuyvesant, was appointed governor, to succeed Gov. Keift, and in 1647, he entered upon the duties of his office. Claims upon New-Netherlands multiplied upon all sides, during this administration ; New-England on the east, Maryland on the west, and the Dutchess Dowager of Sterling, through her agent, Captain Forrester, (a Scotchman,) claimed Long-Island ; and the Swedes claimed and encroached upon Delaware.

In the year 1626, Gustavus Adolphus, king of Sweden, instituted by letters patent, a Swedish West-India Company, for the purpose of making settlements on the American coast. In 1627, a company of Swedes and Fins, entered the Delaware Bay, sailed up the river, and made a general purchase of the adjoining lands. They commenced their settlements at Christeen, on the west side of the Delaware,

and proceeded to settle Lewistown, Tenecum, and Chester, and erected forts in all these settlements. Tenecum, which was also called New Gottenburg, became the seat of government. The colony of New-Haven about this time, commenced a settlement on the east side of the river ; but the Dutch and Swedes drove them off, and the Swedes took possession of their ground, which gave them the command of the river ; this also incensed the Dutch.

At this time a Swedish vessel entered the Raritan River ; and the Dutch governor seized her, which opened a controversy ; the Swedes rose in arms, under their governor Rising, and seized on Fort Casimer, which the Dutch had built upon the Delaware. Gov. Stuyvesant assembled a force and embarked in person at the head of his troops, to recover the fort ; he landed his troops, and summoned the fort : the commandant capitulated, and resigned up the fort. Flushed with this success, Gov. Stuyvesant marched up to Fort Christina, and Rising gave up the fort upon the first summons, September, 1655. Rising was sent to England, and such of the Swedes as did not swear allegiance to the States-General, were sent to Sweden, and thus the country was cleared, and New-Swedeland was added to the possessions of New-Netherland.

New-Swedeland now took the name of the Three Lower Countries upon South River, and Johan Paul Jaquet, received a commission, as their first vice-director, or lieutenant-governor, from the director-general at New-Amsterdam. The successors of Jaquet were Alricks, Hinnojossa, and William Beekman ; these lieutenants had full powers to grant lands, and their titles have ever been considered as valid.

The following commission granted to Alrick, as lieutenant-governor or vice-director in the year 1657, shews the full extent of the Dutch claims, in New-Swedeland upon South (now Delaware) River.

Alrick, &c. "Director-General of the colony of South River, of New-Netherland, and the fortress of Casimer, now called Niewer Amstel, with all the lands depending thereon, according to the first purchase and deed of release of the natives, dated July 19, 1651, beginning at the Minquaa, or Christina Kill, in the Indian language called Suspuough, to the mouth of the Bay called Bompt-Hook, in the Indian language Cannaresse, and so far inland as the bounds of the Minquaas land, with all the streams, &c. appurtenances and dependencies."

In the year 1659, William Beekmen, agreeable to order, purchased Cape Henlopen, and commenced a settlement under the protection of a fortress.

At this time Maryland began to claim the lands upon South River, as a part of the government of Lord Baltimore, and Gov. Findal sent Col. Utie, as commissioner to Niewer Amstel, to demand an immediate evacuation of the lands in question. Beekman, and his council asserted their claim, on the part of the Dutch West-India Company, and demanded proof of his lordship's title ; at the same time he appealed to the decision of the republics of England and Holland. Col. Utie disregarded this appeal, and continued to urge his claim, and demanded an evacuation of the premises ; but as he had no military force, his plea was vain, and he returned to Maryland.

In the spring of 1660, Gov. Stuyvesant sent Nicholas Valeth, and Brian Newton, as ambassadors to Gov. Berkeley, (then governor of Maryland,) with full powers to open a trade, and conclude an offensive and defensive league. Gov. Berkeley gave this mission a kind reception, and sent Sir Henry Moody in his turn, to conclude the league with Gov. Stuyvesant, and the governor at the same time used his arts and cunning to persuade Gov. Berkeley to acknowledge the legal title of the Dutch, to the lands in

question. In this state of things, Gov. Stuyvesant wrote the following letter to the Dutch West-India Company, which I shall insert at large, to shew the historical facts it contains.

“ We have not yet begun the fort on Long-Island, near Oyster Bay, because our neighbours lay the boundaries a mile and a half more westerly than we do, and the more as your honours, by your advice of December 24th, are not inclined to stand by the treaty of Hartford, and propose to sue for redress on Long-Island, and the Fresh Water River, by means of the States’ ambassador. Lord Sterling is said to solicit a confirmation of his right to, all Long-Island, and importunes the present king to confirm the grant made by his royal father, which is affirmed to be already obtained. But more probable, and material is the advice from Maryland, that Lord Baltimore’s patent which contains the south part of the river, is confirmed by the king, and published in print : that Lord Baltimore’s natural brother, who is a rigid Papist, being made governor there, has received Lord Baltimore’s claim, and protest to your honours in council, and has now more hopes of success. We have advice from England, that there is an invasion intended against these parts ; and the country solicited of the king, the duke, and the parliament, is annexed to their dominions ; and for that purpose they desire three or four frigates ; persuading the king that the company possessed and held this country under an unlawful title, having only obtained of King James leave for a watering place, on Staten-Island, in 1623.—Dated, &c. 1661.”

The settlement of this part of Virginia called Maryland, under the patent of Lord Baltimore, had been prevented by the known Chatholic principles of the Baltimore fam-

ily, together with the civil wars in England, and the reign of Cromwell down to the accession of Charles II.

The government in England being settled, Charles Lord Baltimore, son of that Lord Baltimore who had obtained the original patent in 1632, now arrived within Delaware Bay, to take possession of his colony, August 1663. Three ships arrived about the same time, with Dutch planters from Holland, and here the parties were at issue. The next year, 1664, King Charles II. granted to his brother the Duke of York, all that extent of country in America, lying between Novascotia and Delaware-Bay, and his patent is thus defined.—viz. “all that part of the main land, beginning at a certain place called or known by the name of St. Croix, next adjoining to New-Scotland in America, and from thence extending along the sea coast, unto a certain place called Pemaquie; or Pemaquid, and so up the river thereof, to the furtherest head of the same, as it extendeth northward, and extending from thence to the river Kimbequin, and so upwards, in the shortest course to the river of Canada, northward; and also all that island or islands, commonly called Meitowacks, or Long-Island, situated and being to the west of Cape Cod, and the Narrow Highgansetts, abutting upon the main land between the two rivers, there known by the names of Connecticut and Hudson’s River; together also, with the said river called Hudson’s River, and all the land from the west side of the Connecticut River to the east side of the Delaware-Bay, and also all those several islands called or known by the names of Martin’s Vineyard, Nantucks, otherwise Nantucket, together,” &c.

I have inserted this patent at large, that I might place before my readers that absurd instrument, which has given so much vexation in America. The Duke of York conveyed to John Lord Berkeley, and Baron of Stratton, and Sir George Carteret, of Saltrun in Devon, all that part of

his patent lying between Hudson's River, on the east, and Delaware River, or Bay, on the west, and extending south to Cape May or the main ocean, at the mouth of Delaware Bay ; and northward to the northernmost branch of Delaware River, in 41 deg. 40 m. N. latitude. This patent embraced the colony of New-Jersey, and fixed its name, in allusion to the Isle of Jersey, from whence the Carteret family sprang.

Thus we have laid the foundation for the colonies of New-York and New-Jersey. These two colonies are so interwoven in their connections that I shall carry forward their history together, generally. About the time of the above grant of New-Jersey, a number of settlers from New-England, and Long-Island, moved into New-Jersey, and settled Elizabethtown, Newark, Middletown, and Shrewsbury ; these, with an emigration from Scotland, gave life, and vigour to the settlements in New-Jersey. In 1665, Philip Carteret was appointed governour of New-Jersey, and came over to Elizabethtown, which he made the seat of his government. Governor Carteret instituted a government free and independent, founded upon a legislative assembly, after the manner of New-England. This free government invited settlers from England, and all parts of this country, even from New-England, and thus New-Jersey flourished rapidly, until the conquest of the Dutch in 1673. This conquest will be noticed in its place.

In August, 1664, a small squadron arrived from England, and touched at Boston, where Col. Nichols, who had the command of the expedition, solicited aid of the governor, against the Dutch Colony at New-York ; but the governor declined, and the squadron sailed for New-York, at the same time requesting Gov. Winthrop to furnish aid from Connecticut, to support the expedition ; but this was not obtained. Nichols, with his little squadron entered the harbour of New-York, which so alarmed Gov. Stuy-

vesant, that he sent an officer on board to demand the cause of the visit. Col. Nichols replied by summoning the governour to surrender the fort to his Britannic majesty. The governour, struck with astonishment at such a message, in a time of peace between England and the States-General, assembled his council to deliberate on a reply, and at the same time, resolved to fight, if he should be attacked; after hearing the pacific advice of his council, he returned a long historical narrative of the claims of the Dutch, and refused to comply with the summons.* Col. Nichols, who had learnt the advice of the council, and the disposition of the people, replied to the governor's answer, by issuing a proclamation, promising liberty and protection to the people, and beating up for volunteers upon Long-Island, to carry the fortress by force; the commander of the squadron was ordered at the same time to bring his ships to bear upon the fort, and begin the attack. This alarmed the governor and he sent a flag to request a mutual appointment of commissioners to settle the question. Col. Nichols replied that he would treat of nothing but a surrender of the fortress, and the next day the governor offered to surrender the fort, upon condition that the Dutch and English limits should be settled by the Crown and the States-General. This offer was accepted, and commissioners were named, who were agreeable to the parties, and met at the governor's Bowery on the 27th of August, drew and signed the articles, which Col. Nichols accepted; but the governor hesitated three days, and then ratified the articles and resigned up the fort, together with the province, to the Crown of England. The commissioners of the Crown, after the reduction of the colony of New-York, became very vexatious at times to the New-England states, by interfering in their civil affairs, and oc-

See the letter at Appendix A. at the end of the volume.

casioned greater complaints than their neighbours the Dutch had done before them. They instituted courts without juries, and exercised an absolute sovereignty, wholly incompatible with that civil liberty that prevailed in those colonies ; but when they were recalled, Colonel Nichols conducted the affairs of the colony with wisdom, prudence, and justice, which gave general satisfaction. At this time commenced the settlement of South-Carolina, as will be considered in its place. George Carteret was commissioned to reduce Fort Orange, which lay about 170 miles up the river ; this he soon effected, and at the same time, held a conference, and settled a treaty with the Five Nations, which proved of lasting advantage to the colony. Robert Carr was commissioned at the same time to subdue the country on Delaware, or South River, and he reduced both the Dutch and Swedes to subjection, by the first of October ; and thus the whole of New Netherlands were subdued to the Crown of England in less than two months, 1664. Gov. Stuyvesant continued in the colony, where he lived in affluence, and died much respected. The Dutch settlers all remained in the colony and became useful and valuable citizens, and are much respected to this day. The town of New-Amsterdam from this time took the name of New-York.

[See the articles in the appendix marked B. at the end of the Vol.]

CHAPTER V.

CAROLINA CONTINUED.—RISE AND PROGRESS OF CAROLINA, CONTINUED FROM THE SECOND CHARTER OF 1663, TO THE TIME OF THE REBELLION.

WE have traced the rise and progress of the colony of North-Carolina, through a period of sixty or seventy years, and marked a succession of events, hardly to be paralleled, in point of scenes of adversity, on the page of history. This little colony, or rather little colonies, struggled with almost every possible adversity, in order to obtain two solitary settlements, in all that time ; one of these was upon the waters of Albemarle, and the other a colony from Massachusetts that settled upon Charles River, near the south side of Clarendon River, and now called Old Town. Sir Wm. Berkeley, Governor of Virginia, superintended these settlements ; formed counties for them, and regulated their affairs. Sir William visited the settlements, appointed Drummond their governor, and assisted them in making laws, which were sent to England for the approbation of the proprietors.

Pleased with the settlement of the colony from New-England, at Old Town, the proprietors published a declaration—"that all actual settlers should receive gratuities in lands, directly according to the number of each family ; that they should be free from all customs, according to the charter ; that they should present thirteen persons to the proprietors, who were to choose a governor and council of six, out of that number ; but that the choice should vest in the people as soon as they became sufficiently numerous ; and that they should make laws, if they were not repugnant to the laws of England ; which laws should be in force, unless disapproved by the proprietors." The design of this

declaration was, to induce other settlers to come in from New-England.

About this time, the Indians drove off the settlers at Old Town, because they had shipped off several Indian children, under a pretence of educating them at the northward. This outrage upon their feelings, as well as their rights, roused the indignation of the savages; they commenced general depredations upon the settlement, killed or drove off their cattle, and threatened them with destruction, which caused them to abandon their settlement; but they alledged the barrenness of the soil as the true reason, which was sufficient to prevent other settlers from New-England. Soon after the removal of this colony, another from Barbadoes came on to the coast in quest of a settlement, touched at Old Town, and proceeded up the river, made some large purchases of the Indians, and by a liberal encouragement from the proprietors, returned, and commenced a settlement at Old Town, 1665, and began the province of Clarendon, upon the same constitution as that of Albemarle. Sir John Yeamins was appointed their governor. This gentleman was created a baronet, to reward him for the services and sufferings of his father, in the civil war of Charles I. This colony entered with spirit into their labours; resolved to build up their colony, and render it prosperous, they promised one hundred acres of land to every settler that would join them before the last of March, 1667, and one hundred for each of his men-servants, and also for his children. Also fifty acres for each female servant and slave, provided he came furnished with a good musket, ten pounds of powder, twenty pounds of lead, and six months provisions. Each male servant, when free, was promised one hundred acres of land, two suits of clothes, and the tools necessary for his trade. This colony chose their own governors as a special privilege, and their governors continued in office three years. Such was the sterility of

the soil upon which this colony settled, that they subsisted almost entirely by the lumber trade, with the West-Indies, and the colony, although they were at peace with the Indians, did not exceed eight hundred souls in 1666.

In the year 1667, the county of Albemarl convened the first legislative council that had been assembled in Carolina; the people had lived without law, or law-suits, being free from debt. They hardly knew the use of money, being not only free from debt, but from taxes; the settlers began to complain that their bounty lands were not so great as in Clarendon county, being only fifty acres, and the conditions more difficult than in Virginia; therefore the assembly petitioned the proprietors for more indulgence, and to be placed upon the same footing as in Virginia; this the proprietors granted, by what was then called the great deed, or charter, which was satisfactory.

In 1669, the proprietors fitted out a vessel under the command of Capt. Seal, who explored the coast to the south, and was driven in a storm among the Bahama Islands, and on his return described certain rivers on the coast of Carolina, that induced the proprietors to fit out two vessels, with adventurers, tools, &c. to plant a colony, and appointed Capt. Seal their governor. Governor Seal planted his colony at Port-Royal, erected it into a county, which extended from Cape Roman southerly, and called it Carteret. Thus three distinct governments were now formed in Carolina.

It was now contemplated by the lords proprietors, that the colony would soon be settled by a numerous and powerful people; they began to turn their attention to some permanent form of government. Their avowed object was, "to make the government of Carolina agree, as nearly as possible, with the monarchy of which it was a part, and to avoid erecting a numerous democracy." Lord Ashley, afterwards Earl of Shaftesbury, at the request of the lords

proprietors, obtained from Mr. John Locke, the celebrated philosopher and metaphysician, the following form or system of government, for the colony of Carolina.

CONSTITUTION.

CAROLINA shall be divided into counties ; each county shall consist of eight signiories, eight baronies, and four precincts. Each precinct shall consist of six colonies. Each signiory, barony, or colony, shall consist of twelve thousand acres. The signiories shall be annexed unalienably to the proprietors ; the baronies to the nobility ; and the precincts, being three fifths of the whole, shall remain to the people.

Any proprietor before the year 1701, may sell his proprietorship and signiories ; but not afterwards.

There shall be two orders of nobility chosen by the proprietors, viz. Landgraves and Caziques.

There shall be as many Landgraves as counties, and twice as many Caziques.

Each Landgrave shall hold four baronies, and each Cazique two baronies.

Each Landgrave or Cazique before the year 1701, may alienate his dignity, with all the baronies annexed, not afterwards ; they shall necessarily descend from that period to his heir ; but he may sell or let two thirds of his land, for a term not exceeding three lives, or thirty-one years.

There may be manors to consist of not less than three thousand acres, nor more than twelve, in one tract or colony.

The lord of every signiory, barony, or manor, shall have the power of holding court-leet, for trying causes, civil or criminal, with appeal to the precinct or county court.

No leet-man shall move from the land of his lord, without permission.

There shall be eight Supreme Courts. The oldest proprietor shall be palatine, and each of the proprietors shall hold a great office, viz. the several offices of chancellor, chief justice, constable, admiral, treasurer, high-steward, and chamberlain.

The palatine's court shall consist of the palatine and the other seven proprietors.

Each of the other proprietors being at the head of a court, shall have six counsellors, and a college of twelve assistants.

The chancellor's assistants shall be called vice-chancellors.

The chief justice's assistants shall be called assistants of the bench.

The constable's assistants shall be called marshals.

The admiral's assistants shall be called consuls.

The treasurer's assistants shall be called under-treasurers.

The high-steward's assistants shall be called controllers.

The chamberlain's assistants shall be called vice-chamberlains.—Of the forty-two counsellors, in the several courts, the greater number shall be chosen from the nobles, or the sons of proprietors or nobles.

There shall be a grand council which shall consist of the palatine, the other seven proprietors, and the forty-two counsellors, from the courts of the several proprietors. They shall have the power of making war and peace, &c.

Every proprietor may have a deputy who shall have the power of his deputator, except in confirming acts of Parliament and nominating nobility.

In every precinct there shall be a court, consisting of a steward and seven justices.

In every county there shall be a court consisting of a sheriff and four justices, one from each precinct, all of them chosen and commissioned by the palatine's court.

No cause of any freeman, civil or criminal, shall be tried in any court, except by a jury of his peers.

Juries shall consist of twelve men, of whom it shall be sufficient that a majority are agreed.

It shall be a base and infamous thing in any court to plead for money or reward. The Parliament shall meet once every two years. It shall consist of all the proprietors, or their deputies, the Landgraves, the Caziques, and one commoner from each precinct, chosen by the free-holders, in their respective precincts. These four estates shall sit in one room, each man having one vote.

The Parliament may be summoned to meet at other times by the palatine's court.

No matter shall be proposed in Parliament, that had not been previously prepared, and passed by the grand council.

No act shall continue in force longer than to the next biennial meeting of Parliament, unless in the mean time it shall have been ratified by the palatine, and a quorum of the proprietors.

While a bill is on its passage before the Parliament, any proprietor or his deputy, may enter his protest against it, as being contrary to any of the fundamental constitutions of government. In which case, after debate, the four orders, shall retire to the four separate chambers, and if a majority of the four separate estates determine against the bill, it shall not pass.

All towns incorporated shall be governed by a mayor, twelve aldermen, and twenty four others who shall form a common council.

There shall be a register in every precinct, in which all titles to land, all births, marriages, and deaths, shall be registered.

The Church of England being the only orthodox church, no provision by Parliament shall be made for any other church.

Every man shall declare himself to be of some religious profession, or church, and as such he shall enter his name with the precinct register, from which it may be struck off by himself, or by order of the society of which he had been a member.

No man above the age of seventeen shall have the benefit of the laws, unless his name shall have been recorded as a member of some religious church, or profession.

This constitution was signed by the lords proprietors, on the first of March, 1669, and became the constitution of Carolina. This instrument needs no comment; it is sufficient for us that its principles form no part of the Federal Constitution of the United States.

The new constitution for Carolina went into operation during the administration of Gov. Sayle, but upon his death the office was claimed by Sir John Yeamans as vice-palatine, being the only Landgrave then residing in Carolina; but the council appointed Joseph West their governor, until they should learn the will of the proprietors.

In a short time the proprietors expressed their pleasure by appointing Sir John as governor of the southern country. Thus the colony was formed into two governments, August, 1671.

No general staple had as yet appeared in the colony, and as it was the wish and belief of the proprietors, that silk, raisins, (from the multitude of grapes,) capers, wax, almonds, oil and olives, might be encouraged and cultivated here, as in Europe and Turkey, under the same latitudes, they exempted all these articles from duties for the term of seven years; but during this time their culture had not been even introduced. In the year 1680, the king caused fifty families of the persecuted Huguenots, who had fled

from France, to be transported gratis, into Carolina, for the express purpose of introducing the culture of the above named articles, according to their custom in France : but the want of hands in such a thin population rendered the culture both difficult and expensive ; it was therefore abandoned. About this time, a part of the colony at Port Royal, removed to Wando, and Keawah, (Cooper and Ashley Rivers,) for the purpose of raising cattle ; this from its local advantages soon became the seat of government for the south colony.

In the year 1690, the second colony at Cape-Fear had, by various emigrations to the south, from time to time, wholly abandoned that settlement, with its baren inhospitable soil, to the enjoyments of its native savage.

About this time the proprietors listened to the complaints of the colony against the oppressive and tyrannical administration of Gov. Yeamans, and removed him from office.

Gov. Drummond died at Albemarle in 1667, and was succeeded by Samuel Stevens. Under both these administrations, the colony flourished. The people, free from taxes, except by consent of assembly, (and free from colonial laws by the assembly, until 1669,) enjoyed liberty of conscience, upon taking the oath of allegiance to the king, and fidelity to the proprietors ; they were contented with their bounty lands, and every man's property was secure. During all this period, there was not one clergyman in Albemarle county, nor was there any regular mode of celebrating marriage. At this time the assembly passed the following laws, viz.

“ 1. That no subject shall be sued within five years, for any cause of action that may have arisen out of the county.

“ 2. That no person shall receive a power of attorney to collect any debt that may have been contracted out of the county.

“ 3. That all settlers be exempted from taxes one year.

“ 4. That transient persons who do not belong to the colony, be prohibited from trading with the savages.

“ 5. That all persons be restrained from making any transfer of land within two years.

“ 6. That any two persons being desirous of being married, and presenting themselves before the governor and council, in presence of some of their acquaintance, and declaring their mutual consent, shall be deemed husband and wife.”

Also a law was passed imposing a duty of thirty pounds of tobacco upon every law-suit, to be applied to defray the expences of the assembly at their several sessions.

These laws were approved and ratified by the proprietors. The first precincts in the county of Albemarle, were Currituck, Pasquetank, Perquimons, Chowan, and Tyrrel: the five first were allowed five representatives each; but Tyrrel was restricted to two, until it should possess five hundred taxable inhabitants.*

Thus we have entered upon the fundamental principles of the colony of the two Carolinas, and I have been thus particular that they may be correctly understood. I shall leave all remarks to the minds of my readers.

This constitution of Carolina proved, as might have been expected, a curse instead of a blessing to that people: factions soon sprang up; discontent, discord, and rebellion stalked abroad, and shook the colony to its foundations. In the violence of these passions they seized one Miller, a violent fellow, and sent him for trial into Virginia, because he was a proprietor, and this in violation of the rights of the charter. Miller was tried and acquitted, yet all this procedure was both repugnant to the interest, as well as

* These were either white males of sixteen years old, or slaves, either Negro, Mulatto, or Indian, male or female of twelve years old.

against the voice of the proprietors, and subversive of the rights, of both proprietors and people.

About this time Gov. Stevens died, and ——— Cartwright succeeded for a short time ; but being called to England, ——— Eastchurch was appointed governor, and entered upon the administration of a colony then consisting of about fourteen hundred taxable inhabitants, one third of whom were slaves. The produce of the colony was then about eighty hogsheads of tobacco, yearly. This was said to be of little value to the planters, for the New-England traders engrossed about the whole, with their whisky and other ardent spirits ; together with a few trifles, which they transported into the country. The proprietors strove to check this ruinous trade, but without effect ; the people in Carolina would have spirits then, as well as the New-England people now—thus both were blind to their own interest, and bent on their own ruin. At this time a jealousy began to spring up between the north and south colonies, and although it was the wish of the proprietors to extend the trade of Albemarle to the south of the bay, or sound, the governor and people opposed, from motives of private interest, that they might engross the Indian trade. Gov. Eastchurch sailed for England to promote the interest of the colony ; but Miller had arrived before him, laid his grievances before the lords proprietors, and obtained by way of redress, the appointment of secretary to the government, as deputy to one of the proprietors, (eight of these deputies composed the governor's council.) The governor and Miller, his secretary, both sailed together ; but the governor was detained in the West-Indies, and Miller proceeded, and took charge of the administration until the governor arrived. It was the duty of Miller to collect the revenue, which was made payable in cash or tobacco ; he felt his power, and remembering his enemies, he used it

with such rigour that in four months, he collected three hundred and twenty-seven thousand weight of tobacco, and about two hundred and forty pounds sterling. Miller attempted to suppress the New-England trade ; but both wind and tide were against him ; as they ever will be against those who by direct means attempts to correct public morals, at the expence of private interest. The traders scattered sparks of discord amongst the whisky-boys, and stories of the basest falsehood were magnified into truths of serious importance, and discord and sedition stalked abroad.

In the midst of these scenes, one Culpepper, (who had been surveyor in South-Carolina,) fled from justice, and took refuge in North-Carolina. Culpepper soon became a noisy demagogue, and fanned the fire. In the midst of this scene of noise and disturbance, about the rights of whisky and rum, arrived one Gillman from New-England, with his winter's supply. Miller caused him to be arrested, and bound over to take his trial in the penal sum of one thousand pound sterling, upon a charge of a breach of the revenue laws. The people rose in arms, seized the president (Miller) and six of his council, and put them into close confinement. The insurgents then assumed the government, seized on the treasury, (which contained three thousand pound sterling,) and held the administration about two years. Culpepper became collector of the customs. The next year Gov. Eastchurch arrived, but the government had been wrested from him, and he was received as a private citizen ; he applied to the governor of Virginia for troops to recover the government ; but he was removed by death before the arrival of the troops. At this time Miller and Culpepper both repaired to London, to make their defence to the lords proprietors, and to demand redress : Culpepper was arrested and tried for

high-treason; but was acquitted, upon the ground that the affray could not amount to any thing more than a riot.

Thus we have seen the influence that ardent spirits may be made to have over the lives, and properties, as well as the passions of men, and how great a flame a little fire kindleth, 1675. We will now take up, and carry forward the affairs of Virginia.

CHAPTER VI.

VIRGINIA CONTINUED.—RISE AND PROGRESS OF VIRGINIA, FROM THE YEAR 1675, TO THE CLOSE OF BACON'S REBELLION.

IN our last chapter on Virginia, we noticed the vote of the assembly, expressing their attachment to a kingly government. We have also witnessed in our last chapter, the new constitution of Carolina, together with some of the evils that arose out of such a government. We will now carry forward the colony of Virginia, and unfold a few of those evils, which she experienced from her attachment to a royal government. The colony was split into sections, by proprietary grants, from the crown, in direct violation of their charter, and the grantees entered upon their estates about the time the famous English navigation act began to go into operation. Virginia remonstrated in vain; and in the midst of her distresses she found herself involved in an Indian war. In the midst of this war a faction sprang up which threatened the peace and safety of the government. A bold adventurer, by the name of Bacon, who had been bred a lawyer in London, and come out to Virginia, like thousands of others, to seek his fortune, took advantage of his popular talents, volunteered his services against the Indians, assembled a company of volunteers, and demanded of the governor, (Berkeley) a commission. The governor refused his demand, and in his turn, demanded that Bacon should disband his men, and come down in person, on pain of being treated as a rebel. Bacon determined to prosecute his purposes, assured his men that he would never lay down his arms, until he had avenged their cause, and punished the Indians. Bacon however, upon reflection, embarked in a sloop, and went down to Jamestown. The governor

received him coolly ; Bacon grew warm, and became indecorous ; the governor suspended him from the council ; Bacon took leave in a rage, and embarked again on board his sloop, on his return to his quarters ; the governor pursued, and caused him to be arrested, and brought back to Jamestown, where he received him kindly, and restored him to the council, because he had dismissed him without proper authority.

Col. Bacon again renewed his demands for a general's commission, to revenge the wrongs of the people upon the savages ; the governor declined, and remonstrated against the measure ; but Bacon was fixed ; and fresh murders from the savages confirmed him in his purpose ; and in the support of the people. Bacon made his escape, joined his party, then consisting of about six hundred men in arms, and marched down to Jamestown ; drew up his men before the house of assembly, who were then in session, and demanded his commission, which the assembly granted, and the governor executed, (though with reluctance,) and general Bacon marched off in triumph. Gov. Berkeley, immediately, by the advice of assembly, issued a proclamation, denouncing Bacon as a rebel, and ordering his followers to disperse ; and at the same time ordered out the militia to suppress the rebellion. Such was the popularity of Bacon, that these measures served only to confirm his command, and unite the people in his defence. They kept their arms, and followed their leader, who led them back to Jamestown, and the governor fled over to Accomack ; but even here he was met by clamours against his administration, and demands of redress of their grievances ; and thus was constrained to yield to popular clamour. In the mean time, Gen. Bacon called a convention ; next he convoked an assembly, by writs of his own signing, and assumed the reigns of government, whilst the governor was collecting a military force to check his procedure.

The governor gave the command of his troops to Maj. Robert Beverly, who crossed the bay and commenced his operations against Bacon. The civil war thus commenced ; severe skirmishing ensued, blood and slaughter marked the violence of the parties, and the ravages of the country, until the death of Bacon checked this mad career of party, and closed this civil war. The rebels soon dispersed ; the other leaders surrendered upon condition of pardon, and peace was again restored. No other punishment was inflicted, except that of incapacity for the future to hold any office under the government, which was executed against two of the principals under Bacon. The blood spilt in this war bore no proportion to the other calamities that attended it. Jamestown was laid in ashes, the stocks of cattle were butchered for the use of the parties, or wantonly destroyed ; agriculture was neglected, and at the return of peace, the country was threatened with famine.

In the midst of this internal distress, the savages laid waste their frontiers, butchered the inhabitants, and gave a general check to the settlements, that continued in their effects for more than thirty years. The governor, alarmed for the safety of the colony, wrote to England for a regiment of soldiers, to be sent out to support the government against Bacon and the savages. After the return of peace, the soldiers arrived, accompanied with commissioners to enquire into the causes and punish the authors of the rebellion. The soldiers remained in the country ; but Gov. Berkeley sailed soon after for England, where he soon died, and was succeeded by Gov. Culpepper.

In 1679, the new governor sailed for America, with a code of new laws from the ministry in England, for the government of the colony of Virginia. Thus armed, with the new laws in one hand and the regiment of soldiers in the other, Gov. Culpepper offered pardon to the insurgents, provided the assembly would pass the laws, or threatened

them with the sword of justice, as rebels, in case they refused ; and the commissioners were present, ready to do their duty. The assembly complied, passed the laws, and thus riveted upon themselves a system of perpetual duties, at the sole direction of his majesty, for the support of government. The governor next obtained out of these duties, a salary of two thousand pounds, with an addition of sixty pounds for house rent, annually, together with a demand of twenty shillings perquisite upon every vessel of 100 tons burthen, and thirty shillings upon all vessels over 100 tons, as port clearance for every voyage. These were fixed laws ; but he oppressed the people by giving currency to a light coin, at the full value, and making it a tender in payment of just debts. This oppression the people turned upon him by offering it in payment of duties, and thus drove it out of circulation, by his repealing the law.

I shall close this chapter with a brief summary of the history of Virginia, from its first discovery down to the peace of 1763, by the way of extract from Mr. Jefferson's Notes on Virginia.

Queen Elizabeth, by her letters patent, bearing date March 25, 1584, licensed Sir Walter Raleigh to search for remote heathen lands, not inhabited by christian people, and granted to him, in fee simple, all the soil within 200 leagues of the places where his people should within six years make their dwellings, or abide ; reserving only to herself and her successors, their allegiance, and one fifth part of the gold and silver ore they should obtain. Sir Walter immediately sent out two ships, which visited Wococon Island in North-Carolina ; and the next year dispatched seven, with 107 men, who settled on Roanoke Island, about 35 deg. 50 min. Here Okisko, king of the Weopomicoes, in a full council of his people, is said to have acknowledged himself the homager of the queen of

England, and after her, of Sir Walter Raleigh. A supply of fifty men was sent in 1586, and 150 in 1587. With these last Sir Walter sent a governor, appointed him twelve assistants, gave them a charter of incorporation, and instructed them to settle on Chesapeake bay. They landed however at Hatorask. In 1588, when a fleet was ready to sail with a new supply of colonists and necessities, they were detained by the queen, to assist against the Spanish Armada. Sir Walter having now expended 40,000*l.* in these enterprises, obstructed occasionally by the crown, without one shilling of aid from it, was under the necessity of engaging others to advance their money. He therefore, by deed bearing date the 27th of March, 1589, by the name of Sir Walter Raleigh, chief governor of Assamcomde, (possibly Acomoc,) alias Wingadacoia, alias Virginia, granted to Thomas Smith and others, in consideration of their advancing certain sums of money, liberty of trade to his new country, free of all customs and taxes for seven years, excepting the fifth part of the gold and silver ore to be obtained; and stipulated with them and the other assistants, then in Virginia, that he would confirm the deed of incorporation which he had given in 1587, with all the prerogatives, jurisdictions, royalties and privileges, granted to him by the queen. Sir Walter at different times sent five other adventurers hither, the last of which was in 1602; for in 1603, he was attainted and put into close confinement, which put an end to his cares over his infant colony. What was the fate of the colonists he before sent and seated, has never been known, whether they were murdered, or incorporated with the savages.

Some gentlemen and merchants supposing, that by the attainder of Sir Walter Raleigh, the grant to him was forfeited, (not enquiring over carefully, whether the sentence of an English court, could effect lands not within the jurisdiction of that court,) petitioned King James I. for a new

grant of Virginia to them. He accordingly executed a grant to Sir Thomas Gates and others, bearing date 9th of March, 1607, under which, in the same year, a settlement was effected at Jamestown, and ever after maintained. Of this grant however no notice need be taken as it was superseded by letters patent of the same king, of May 23d, 1609, to the Earl of Salisbury and others, incorporating them by the name of the "Treasurer and Company of Adventurers and Planters, of the city of London, for the first colony in Virginia," granting to them and their successors, all the lands in Virginia, from Point Comfort along the sea coast to the northward 200 miles, and from the sea coast to the southward 200 miles, and all the space from this precinct on the sea coast, up into the land, west and northwest, from sea to sea, and the islands within 100 miles of it, with all the communities, jurisdictions, royalties, privileges, franchises, and pre-eminences within the same, and thereto and thereabouts, by sea and land, appertaining, in as ample a manner as had been heretofore granted to any adventurer, to be held of the king and his successors, in common soccage, yielding one fifth part of the gold and silver ore to be therein found, for all manner of services; establishing a council in England for the direction of the enterprise; the members of which were to be chosen, and displaced by the voice of the majority of the company, and adventurers; and were to have the nomination, and revocation of governors, officers, and ministers, which by them should be thought needful for the colony; the power of establishing laws, forms of government, and magistracy, obligatory, not only within the colony, but also on the seas, in going and coming to and from it; authorizing them to carry thither any persons who should consent to go, freeing them forever from all taxes, and impositions on all goods, or merchandize, on importation into the colony, or exportation out of it, except the five per cent due for cus-

tom on all goods imported into the British dominions, according to the ancient trade of merchants ; which five per cent only being paid, they might within thirteen months re-export the same goods into foreign parts, without any custom, tax, or other duty, to the king, or any of his officers, or deputies ; with powers of waging war against those who should annoy them ; giving to the inhabitants of the colony all the rights of natural subjects, as if born and abiding in England ; and declaring that these letters shall be construed, in all doubtful parts, in such manner as should be most for the benefit of the grantees.

Afterwards, in 1612, by other letters patent, the king added to his former grants, all islands in any part of the ocean between the 30th and 41st degrees of N. latitude, and within three hundred leagues of any of the parts before granted to the treasurer and company, not being possessed or inhabited by any other Christian prince, or state, nor within the limits of the northern colony. In pursuance of the authorities given to the company by these charters, and more especially by that part in the charter of 1609, which authorised them to establish a form of government, they on the 24th of July, 1621, by charter under their common seal, declared there should be two supreme councils in Virginia ; the one to be called the Council of State, to be placed and displaced by the treasurer, council in England, and company, from time to time, whose office was to be that of assisting and advising the governor ; the other was to be called the General Assembly, to be convened by the governor once yearly, or oftener ; which was to consist of the council of state and two burgesses out of every town, hundred, or plantation, to be respectively chosen by the inhabitants. In this, all matters were to be decided by the greater part of the voices present ; reserving to the governor a negative voice ; and they were to have power to treat or consult on all emer-

gent occasions, concerning the public weal, and to make laws for the behoof and government of the colony, imitating and following the laws of England as nearly as might be ; provided that these laws should have no force until ratified in a general quarter-court of the company in England, and returned under their common seal, and declaring that after the government of the colony should be well framed and settled, no orders of the council in England should bind the colony, unless ratified in the said General Assembly. The king and company quarrelled, and by a mixture of law and force, the latter were ousted of all their rights, without retribution ; after having expended 100,000*l.* in establishing the colony without the smallest aid from government. King James I. suspended their powers by proclamation, July 15th, 1624, and Charles I. took the government into his own hands. Both sides had their partizans in the colony ; but in truth, the people in general in the colony, thought themselves little concerned in the dispute. There being three parties interested in these several charters, what passed between the first and second, it was thought could not affect the third. If the king seized on the powers of the company, they only passed into other hands without increasing or diminishing ; while the rights of the people remained as they were ; but they did not remain so long.

The northern parts of the country were granted away to Lords Baltimore and Fairfax ; the first of these obtaining also the rights of separate jurisdiction and government, and in 1650, the Parliament considered themselves as standing in the place of their deposed king, and of having succeeded to all his powers, without as well as within the realm, began to assume a right over the colonies, and passed an act for inhibiting their trade with foreign nations*. This succession to the exercise of kingly authority, gave

* The famous Navigation Act.

the first colour for parliamentary interference with the colonies, and produced that fatal precedent, which they continued to follow, after they had retired, in other respects, within their proper functions. When this colony therefore, which still maintained its opposition to Cromwell and the Parliament, was induced in 1651, to lay down their arms, they previously secured their most essential rights, by a solemn convention, which having never seen in print, I will insert here literally from the records.

“ARTICLES agreed on and concluded at James Cittie in Virginia for the surrendering and settling of that plantation under the obedience and government of the common wealth of England by the Commissioners of the Councill of state by authoritie of the parliament of England and by the Grand assembly of the Governour, Councill and Burgesses of that countrey.

“First it is agreed and consented that the plantation of Virginia, and all the inhabitants thereof shall be and remain in due obedience and subjection to the Common wealth of England, according to the laws there established, and that this submission and subscription bee acknowledged a voluntary act, not forced nor constrained by a conquest upon the countrey, and that they shall have and enjoy such freedoms and priviledges as belong to the free borne people of England, and that the former government by the Commissions and Instructions be void and null.

“2ly. Secondly that the Grand assembly as formerly shall convene and transact the affairs of Virginia wherein nothing is to be acted or done contrarie to the government of the Common wealth of England and the lawes there established.

“3ly. That there shall be a full and totall remission and indempnitie of all acts, words, or writeings done or

spoken against the parliament of England in relation to the same.

“ 4ly. That Virginia shall have and enjoy the antient bounds and Lymitts granted by the charters of the former kings, and that we shall seek a new charter from the parliament to that purpose against any that have intrencht upon the rights thereof.

“ 5ly. That all the patents of land granted under the colony seal by any of the precedent governours shall be and remaine in their full force and strength.

“ 6ly. That the priviledge of having fiftie acres of land for every person transported in that collonie shall continue as formerly granted.

“ 7ly. That the people of Virginia have free trade as the people of England do enjoy to all places, and with all nations, according to the lawes of that common wealth, and that Virginia shall enjoy all priviledges equall with any English plantations in America.

“ 8ly. That Virginia shall be free from all taxes, customs and impositions whatsoever, and none to be imposed on them without consent of the Grand assembly; And soe that neither ffortes nor castle bee erected, or garrisons maintained without their consent,

“ 9ly. That noe charge shall be required from this countrey in respect of this present fleet.

“ 10ly. That for the future settlement of the countrey in their due obedience, the engagement shall be tendred to all the inhabitants according to act of parliament made to that purpose, that all persons who shall refuse to subscribe the said engagement, shall have a yeare's time if they please, to remove themselves and their estates out of Virginia, and in the mean time during the said yeare to have equall justice as formerly.

“ 11ly. That the use of the booke of common prayer shall be permitted for one yeare ensueinge, with refer-

rence to the consent of the major part of the parishes, provided that those which relate to kingship or that government be not used publiquely, and the continuance of ministers in their places, they not misdemeaning themselves, and the payment of their accustomed dues and agreements made with them respectively, shall be left as they now stand dureing this ensueing yeare.

“ 12ly. That no man’s cattell shall be questioned as the company’s unless such as have been entrusted with them or have disposed of them without order.

“ 13ly. That all ammunitiion, powder and arms, other than for private use, shall be delivered up, securitie being given to make satisfaction for it.

“ 14ly. That all goods allreadie brought hither by the Dutch or others which are now on shoar shall be free from surprizall.

“ 15ly. That the quittrents granted unto us by the late kinge for seven yeares be confirmed.

“ 16ly. That the commissioners for the parliament subscribeing these articles engage themselves, and the honour of parliament, for the full performance thereof: and that the present governour and the councill and the burgesses do likewise subscribe and engage the whole collony on their parts.

RICH. BENNETT.....Seale.

WM. CLAIBORNE.....Seale.

EDMOND CURTIS.....Seale.

“ These articles were signed and sealed by the commissioners of the Councill of state for the Commonwealth of England the twelveth day of March 1651.”

‘ Then follow the articles stipulated by the governour and council, which relate merely to their own persons and property, and then the ensuing instrument :’

“An act of indempnitie made att the surrender of the countrey.

“Whereas by the authoritie of the parliament wee the commissioners appointed by the councill of state, authorized thereto, having brought a ffeete and force before James cittie in Virginia to reduce that collonie under the obedience of the commonwealth of England, and finding force raised by the governor and countrey to make opposition against the said ffeet whereby assured danger appearinge of the ruin and destruction of the plantation, for prevention whereof the Burgesses of all the severall plantations being called to advise and assist therein, uppon long and serious debate, and in sad contemplation of the great miseries and certain destruction which where soe neerely hovering over the whole countrey; We the said Commissioners have thought fitt and condescending and granted to signe and confirme under our hands, seales, and by our oath, Articles bearinge date with theise presents, and do further declare that by the authoritie of the parliament and commonwealth of England derived unto us their commissioners, that according to the articles in generall wee have granted an act of indempnitie and oblivion to all the inhabitants of this coloney from all words, actions, or writings that have been spoken, acted, or writt against the parliament or commonwealth of England, or any other person from the beginning of the world to this day. And this we have done that all the inhabitants of the collonie may live quietly and securely under the commonwealth of England. And we do promise that the parliament and commonwealth of England shall confirm and make good all those transactions of ours. Witness our hands and seales this 12th of March 1651. *Richard Bennett*.....Seale. *Wm. Claiborne*.....Seale. *Edm. Curtis*.....Seale.”

The illustrious writer thus follows with his remarks.

“The colony supposed, that by this solemn convention, entered into with arms in their hands, they had secured the ancient limits of their country, its free trade, its exemption from taxation, but by their own assembly, and exclusion of military force from among them. Yet in every of these points was this convention violated by subsequent kings and parliaments, and other infractions of their constitution, equally dangerous committed.... Their general assembly, which was composed of the council of state and burgesses, sitting together and deciding by plurality of voices, was split into two houses, by which the council obtained a separate negative on their laws. Appeals from their supreme court, which had been fixed by law in their general assembly, were arbitrarily revoked to England, to be there heard before the king and council. Instead of four hundred miles on the sea coast, they were reduced, in the space of about thirty years, to about one hundred miles. Their trade with foreigners was totally suppressed, and when carried to Great Britain, was there loaded with imposts. It is unnecessary, however, to glean up the several instances of injury, as scattered through American and British history, and the more especially as, passing on to the accession of the present king, we shall find specimens of them all, aggravated, multiplied, and crowded within a small compass of time, so as to evince a fixed design of considering our rights natural, conventional, and chartered, as mere nullities.” &c.

Jefferson's Notes on Virginia.

Thus much for the coercive powers of the commonwealth of England, and of the English government. I will close this chapter with a sketch of the remarks of the same illustrious author, upon the particular customs and manners of Virginia.

In the Introductory Remarks of this work, the origin of African slavery has been noticed, and the causes that produced it; the effects that have resulted from this barbarous trafic, upon the colony of Virginia, are thus strikingly illustrated by the pen of a Jefferson, whose means of correct information cannot be doubted, and whose powers of correct reasoning cannot be surpassed.

“It is difficult to determine on the standard by which the manners of a nation may be tried, whether *catholic* or *particular*. It is more difficult for a native to bring to that standard the manners of his own nation, familiarized to him by habit. There must doubtless be an unhappy influence on the manners of our people, produced by the existence of slavery among us. The whole commerce between master and slave is a perpetual exercise of the most boisterous passions; the most unremitting despotism on the one part, and degrading submissions on the other. Our children see this, and learn to imitate it; for man is an imitative animal. This quality is the germ of all education in him. From his cradle to his grave he is learning to do what he sees others do. If a parent could find no motive either in his philanthropy or his self-love, for restraining the intemperance of passions towards his slave, it should always be a sufficient one that his child is present. But generally it is not sufficient. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loose to the worst of passions, and thus nursed, educated, and exercised in tyranny, cannot but be stamped by it with odious peculiarities. The man must be a prodigy who can retain his manners and morals undepraved by such circumstances. And with what execration should the statesmen be loaded, who permitting one half the citizens thus to trample on the rights of the other, transforms those into despots, and

these into enemies, destroys the morals of the one part, and the *amor patriæ* of the other. For if a slave can have a country in this world, it must be any other in preference to that in which he is born to live and labor for another : in which he must lock up the faculties of his nature, contribute as far as depends on his individual endeavours to the evanishment of the human race, or entail his own miserable condition on the endless generations proceeding from him. With the morals of the people, their industry also is destroyed. For in a warm climate, no man will labour for himself who can make another labour for him. This is so true, that of the proprietors of slaves, a very small proportion indeed are ever seen to labour. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the gift of God ? That they are not to be violated but with his wrath ? Indeed I tremble for my country when I reflect that God is just : that his justice cannot sleep for ever : that considering numbers, nature and natural means only, a revolution of the wheel of fortune, an exchange of situation, is among possible events : that it may become probable by supernatural interference ! The Almighty has no attribute which can take side with us in such a contest—But it is impossible to be temperate, and to pursue this subject through the various considerations of policy, of morals, of history natural and civil. We must be contented to hope they will force their way into every one's mind. I think a change already perceptible.—The spirit of the master is abating, that of the slave rising from the dust, his condition mollifying, the way I hope preparing, under the auspices of heaven, for a total emancipation, and that this is disposed, in the order of events, to be with the consent of the masters, rather than by their extirpation.”

Such were the correct sentiments of the illustrious sage of Monticello, and such were the sentiments of Washington, the father of his country, who evinced the sincerity of his sentiments upon this momentous subject by emancipating all his slaves; and who lived to witness the joy his benevolent mind had imparted to others, as free by nature as himself; as well as the illustrious example he had given for the good of his country and of the world, together with the purity and justice of his heart.

notice of Mr. Jefferson, in his Notes on Virginia; I have therefore omitted the former, and adopted the latter, as being more interesting and useful.

As the redmen of America constitute a very important feature in the history of the United States, I have endeavored to incorporate their history into that of the several colonies to which they belonged, and with whose history they were more immediately connected. The Indians of Virginia have not been particularly noticed; I will now devote this chapter to a general view of their history, in connection with the colony of Virginia, as well as with the red men of the United States at large, west of the Hudson River.

To do justice to this interesting subject, as well as to its illustrious author, I will here insert at large, the following extract from Mr. Jefferson's Notes on Virginia.

"When the first effectual settlement of our colony was made, which was in 1607, the country from the sea-coast to the mountains, and from the Patowmack to the most southern waters of James' River, was occupied by upwards of forty different tribes of Indians. Of those the Powhatan, and the Mannahoes, and the Monacans, were the most powerful. Those between the sea-coast and falls of the rivers, were in amity with each other, and attached to

CHAPTER VII.

VIRGINIA CONTINUED.

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the Powhatans, as their link of union. Those between the falls of the rivers and the mountains, were divided into two confederacies ; the tribes inhabiting the head waters of the Patowmac, and Rappahannoc, being attached to the Mannahoacs ; and those on the upper parts of James' River, to the Monacans. But the Monacans and their friends were in amity with the Mannahoacs and their friends, and waged joint and perpetual war against the Powhatans. We are told that the Powhatans, Mannahoacs, and Monacans, spoke languages so radically different, that interpreters were necessary when they transacted business. Hence we may conjecture, that this was not the case between all the tribes, and probably that each spoke the language of the nations to which it was attached ; which we know to have been the case in several particular instances. Very possibly there may have been anciently three different stocks, each of which multiplying in a long course of time, might have separated into so many little societies. This practice results from the circumstance of their having never submitted themselves to any laws, any coercive power, or any shadow of government. Their only controuls are their manners, and that moral sense of right and wrong, which like the sense of tasting, and feeling, in every man, makes a part of his nature. An offence against these is punished by contempt, by exclusion from society, or, where the case is serious, as that of murder, by the individuals whom it concerns.* Imperfect as this species of coercion may seem, crimes are very rare among them ; insomuch that were it made a question, whether no law, as among the savage Americans, or too much law, as among the civilized Europeans, subjects man to the greatest evil, one who has seen both conditions of existence would pronounce it to be the last : and that the sheep are happier of themselves, than under the care of

* The friends of the murdered become the avengers of blood, and kill the murderer.

NORTH.

MANNAHOCS.

	TRIBES.	COUNTRY.	CHIEF TOWNS.	Warriors.	
				1607	1669
Between POTOMAC and RAPPAHANOC.	Whonkenties	Fauquier			
	Tegninaties	Culpeper			
	Ontponies	Orange			
	Tauxitanians	Fauquier			
	Hassinungaes	Culpeper			
Between RAPPAHANOC and YORK.	Stegarakies	Orange			
	Shackakonies	Spotsylvania			
	Manahoaks	Stafford. Spotsylvania			

MONACANS.

Between YORK and JAMES.	Monacans	Jas. R. above the falls	Fork of James R.	30	
	Monasicapanoes	Louisa. Fluvanna			
Between JAMES and CAROLINA.	Monahassanoes	Bedford. Buckingham			
	Massinacacs	Cumberland			
	Mouemenchoes	Powhatan			
EASTERN SHORE.					

POWHATANS.

TRIBES.	COUNTRY.	CHIEF TOWNS.	Warriors.		
			1607	1669	
Tauxenents	Fairfax	About General Washington's	40		By the name of Matchotics. U. Matchodic Nanzaticos. Nanzatico. Appamattox Mattox. by the name of Totuskeys.
Patowomekes	Stafford. King George	Patowmac creek	200		
Cuttatawomans	King George	About Lamb creek	20	60	
Pissasects	King Geo. Richmond	Above Leeds town	—		
Onaumanients	Westmorland	Nomony River	100		
Rappahanocs	Richmond county	Rappahanoc creek	100	30	
Moraughtacunds	Lancaster. Richmond	Moratico River	80	40	
Secacaonies	Northumberland	Coan River	30		
Werowocomicos	Northumberland	Wicocomico River	130	70	
Cuttatawomans	Lancaster	Corotoman	30		
Nantaughtacunds	Essex. Caroline	Port Tobacco creek	150	60	
Mattapoments	Mattapony River	- - - - -	30	20	
Pamunkies	King William	Romuncock	300	50	
Werowocomicos	Gloucester	About Rosewell	40		
Payankatonks	Plankatank River	Turks' Ferry. Grimesby	55		
Youghtanunds	Pamunkey River	- - - - -	60		
Chickahominies	Chickahominy River	Orapaks.	250	60	
Powhatans	Henrico	Powhatans. Mayo's	40	10	
Arrohatoeks	Henrico	Arrohatoes	30		
Weanocs	Charles city	Weynoke	100	15	
Paspaheghes	Charles cit. James cit.	Sandy Point	40		
Chiskiaks	York	Chisikiac	45	15	
Kecoughtans	Elizabeth city	Roscows	20		
Appamattocs	Chesterfield	Bermuda Hundred	60	50	1669 Nottoways Meherries Tuteloes
Quiocohanes	Surry	About upper Chipoak	25	30	
Warrasqueak	Isle of Wight	Warrasqueoc			
Nasamonds	Nansamond	About the mouth of West Branch	200	45	
Chesapeake	Princess Anne	About Lynhaven River	100		
Accohanocks	Accom. Northampton	Accohanoc River	40		
Accomacks	Northampton	About Cheriton's	80		

SOUTH.

wolves. It will be said that great societies cannot exist without government. The savages therefore break them into small ones.*

“ The territories of the Powhatan confederacy, south of the Patowmac, comprehended about 8000 square miles, 30 tribes, and 2400 warriors. Captain Smith tells us, that within sixty miles of Jamestown were 5000 people, of whom 1500 were warriors. From this we find the proportion of their warriors to their whole inhabitants, was as 3 to 10. The Powhatan confederacy then would consist of about 8000 inhabitants, which was one for every square mile ; being about the twentieth part of our present population in the same territory, and the hundredth of that of the British islands.

“ Besides these, were the Nottoways, living on Nottoway River, the Meherrins and Tuteloes on Meherrin River, who were connected with the Indians of Carolina, probably with the Chowanocs.

“ The preceding table contains a state of these several tribes, according to their confederacies and geographical situation, with their numbers, when we first became acquainted with them, where these numbers are known. The numbers of some of them are again stated as they were in the year 1669, when an attempt was made by the assembly to enumerate them.—Probably the enumeration is imperfect, and in some measure conjectural, and that a further search into the records would furnish many more particulars. What would be the melancholy sequel of their history, may however be argued from the census of 1669 ; by which we discover that the tribes therein enu-

* This Sage of America does not mean to be understood from this loose and unguarded mode of expression, that the laws of savage nature, or manners and customs of savage life, and savage communities, can stand the test, when put in competition with the laws, habits, manners and customs, of civilized America, any more than the light of a taper can stand the test when put in competition with the meridian sun.

merated, were, in 62 years, reduced to about one-third of their former numbers. Spirituous liquors, the small-pox, war, and an abridgement of territory, to a people who lived principally on the spontaneous productions of nature, had committed terrible havock among them, which, generation, under the obstacles opposed to it among them, was not likely to make good. That the lands of this country were taken from them by conquest, is not so general a truth as is supposed. I find in our historians, and records, repeated proofs of purchase, which cover a considerable part of the lower country ; and many more would doubtless be found on further search. The upper country we know has been acquired altogether by purchases, made in the most unexceptionable form.

“Westward of all these tribes, beyond the mountains, and extending to the great lakes, were the Massawomees, a most powerful confederacy, who harrassed unremittingly the Powhatans and Mannahoacs. These were probably the ancestors of tribes known at present by the name of the Six Nations.

“Very little can now be discovered of the subsequent history of these tribes severally. The Chickahomines removed about the year 1661, to Mattapony River. Their chief, with one from each of the Pamunkies and Mattaponies, attended the treaty of Albany, in 1685. This seems to have been the last chapter in their history. They retained, however, their separate name so late as 1705, and were at length blended with the Pamunkies and Mattaponies, and exist at present only under their names. There remains of the Mattaponies three or four men only, and these have more Negro than Indian blood in them. They have lost their language, have reduced themselves, by voluntary sales, to about fifty acres of land, which lies on the river of their own name, and have from time to time, been joining the Pamunkies, from whom they are distant

but ten miles. The Pamunkies are reduced to about ten or twelve men, tolerably pure from mixture with other colours. The older ones among them preserve their language in a small degree, which are the last vestiges on earth, as far as we know, of the Powhatan language. They have about three hundred acres of very fertile land, on Pamunkey River, so encompassed by water that a gate shuts in the whole. Of the Nottoways, not a male is left. A few women constitute the remains of that tribe. They are seated on the Nottoway River, in Southampton county, on very fertile lands. At a very early period, certain lands were marked out and appropriated to these tribes, and were kept from encroachment by the authority of the laws. They have usually had trustees appointed, whose duty was to watch over their interests, and guard them from insult and injury.

“The Monacans and their friends, better known latterly by the name of Tuscaroras, were probably connected with the Massawomees, or Five Nations. For though we are told their languages were so different that the intervention of interpreters was necessary between them, yet do we also learn that the Erigas, a nation formerly inhabiting on the Ohio, were of the same original stock with the Five Nations, and that they partook also of the Tuscarora language. Their dialects might, by long separation, have become so unlike as to be unintelligible to one another. We know that in 1712, the Five Nations received the Tuscaroras into their confederacy, and made them the Sixth Nation. They received the Meherrins and Tuteloes also into their protection : and it is most probable, that the remains of many other of the tribes, of whom we find no particular account, retired westwardly in like manner, and were incorporated with one or other of the western tribes.

“I know of no such thing existing as an Indian monument: for I would not honour with that name, arrow-points,

stone hatchets, stone pipes, and half-shapen images. Of labour on the large scale, I think there is no remain as respectable as would be a common ditch for the draining of lands : unless indeed it would be the barrows, of which many are to be found all over this country. These are of different sizes, some of them constructed of earth, and some of loose stones. That they were repositories of the dead, has been obvious to all : but on what particular occasion constructed, was a matter of doubt. Some have thought they covered the bones of those who have fallen in battles fought on the spot of interment. Some ascribed them to the custom, said to prevail among the Indians, of collecting, at certain periods, the bones of all their dead, wheresoever deposited at the time of death. Others again supposed them the general sepulchres for towns, conjectured to have been on or near these grounds ; and this opinion was supported by the quality of the lands in which they are found, (those constructed of earth being generally in the softest, and most fertile meadow grounds, on river sides,) and by a tradition, said to be handed down from the aboriginal Indians, that, when they settled in a town, the first person who died was placed erect, and earth put about him, so as to cover and support him ; that when another died, a narrow passage was dug to the first, the second reclined against him, and the cover of earth replaced, and so on. There being one of these in my neighbourhood, I wished to satisfy myself whether any, and which of these opinions were just. For this purpose I determined to open and examine it thoroughly. It was situated on the low grounds of the Rivanna, about two miles above its principal fork, and opposite to some hills, on which had been an Indian town. It was of a spheroidical form, of about forty feet diameter at the base, and had been of about twelve feet altitude, though now reduced by the plough to seven and a half, having been under cultiva-

tion about a dozen years. Before this it was covered with trees of twelve inches diameter, and round the base was an excavation of five feet depth and width, from whence the earth had been taken of which the hillock was formed. I first dug superficially in several parts of it, and came to collections of human bones, at different depths, from six inches to three feet below the surface. These were lying in the utmost confusion, some vertical, some oblique, some horizontal, and directed to every point of the compass, entangled, and held together in clusters by the earth. Bones of the most distant parts were found together, as, for instance, the small bones of the foot in the hollow of a skull; many skulls would sometimes be in contact, lying on the face, on the side, on the back, top, or bottom, so as, on the whole, to give the idea of bones emptied promiscuously from a bag or basket, and covered over with earth, without any attention to their order. The bones of which the greatest numbers remained, were skulls, jaw-bones, teeth, the bones of the arms, thighs, legs, feet, and hands. A few ribs remained, some vertebræ of the neck and spine, without their processes, and one instance only of the bone which serves as a base to the vertebral column. The skulls were so tender, that they generally fell to pieces on being touched. The other bones were stronger. There were some teeth that were judged to be smaller than those of an adult; a skull which on a slight view, appeared to be that of an infant, but it fell to pieces on being taken out, so as to prevent satisfactory examination: a rib and the fragment of the under jaw of a person about half grown; another rib of an infant; and part of the jaw of a child, which had not cut its teeth. This last furnishing the most decisive proof of the burial of children here, I was particular in my attention to it. It was part of the right half of the under jaw. The processes by which it was attenuated to the temporal bones, were entire, and

the bone itself firm to where it had been broken off, which, as nearly as I could judge, was about the place of the eye-tooth. Its upper edge, wherein would have been the sockets of the teeth, was perfectly smooth. Measuring it with that of an adult, by placing their hinder processes together, its broken end extended to the penultimate grinder of the adult. This bone was white, all the others of a sand colour. The bones of infants being soft, they probably decay sooner, which might be the cause so few were found here. I proceeded then to make a perpendicular cut through the body of the barrow, that I might examine its internal structure. This passed about three feet from its centre, was opened to the former surface of the earth, and was wide enough for a man to walk through and examine its sides. At the bottom, that is, on the level of the circumjacent plain, I found bones; above these a few stones, brought from a cliff a quarter of a mile off, and from the river, one-eighth of a mile off, then a large interval of earth, then a stratum of bones, and so on. At one end of the section were four strata of bones plainly distinguishable; at the other, three; the strata in one part not ranging with those in another. The bones nearest the surface were least decayed. No holes were discovered in any of them, as if made with bullets, arrows, or other weapons. I conjectured that in this barrow might have been a thousand skeletons. Every one will readily seize the circumstances above related, which militate against the opinion, that it covered the bones only of those slain in battle, and against the tradition also, which would make it the common sepulchre of a town, in which the bodies were placed upright, and touching each other. Appearances certainly indicate that it has derived both origin and growth from the accustomary collections of bones, and deposition of them together; that the first collection had been deposited on the common surface of the earth, a few stones put over it,

and then a covering of earth; that the second had been laid on this, had covered more or less of it in proportion to the number of bones, and was then also covered with earth, and so on. The following are the particular circumstances that give it this aspect. 1. The number of bones. 2. Their confused position. 3. Their being in different strata. 4. The strata in one part having no correspondence with those in another. 5. The different states of decay in these strata, which seem to indicate a difference in the time of inhumation. 6. The existence of infant bones among them.

“But on whatever occasion they might have been made, they are of considerable notoriety among the Indians; for a party passing about thirty years ago, through the part of the country where this barrow is, went through the woods directly to it, without any instructions or enquiry; and having staid about it some time, with expressions which were construed to be those of sorrow, they returned to the high road, which they had left about half a dozen miles to pay this visit, and pursued their journey. There is another barrow much resembling this, in the low grounds of the south branch of Shenandoah, where it is crossed by the road that leads from the Rockfish gap to Staunton. Both of these have within these dozen years, been cleared of their trees and put under cultivation; are much reduced in their height, and spread in width by the plough, and will probably disappear in time. There is another on a hill in the Blue Ridge, a few miles north of Wood’s gap, which is made up of small stones thrown together. This has been opened and found to contain human bones as the others do. There are also many others in other parts of the country.

“Great question has arisen from whence came those Aborigines of America? Discoveries long ago made were sufficient to shew that the passage from Europe to America was always practicable, even to the imperfect naviga-

tion of ancient times. In going from Norway to Iceland, from Iceland to Greenland, and from Greenland to Labrador, the first traject is the wildest: and this having been practised from the earliest times of which we have any account of that northern part of the earth; it is not difficult to suppose that the subsequent trajects may have been sometimes passed. Again, the late discoveries of Capt. Cook, in coasting from Kamskatka to California, have proved that if the two continents of Asia and America be separate at all, it is only by a narrow strait. So that from this side also, inhabitants may have passed into America, and the resemblance between the Indians of America and the eastern inhabitants of Asia, would induce us to conjecture that the former are the descendants of the latter, or the latter of the former: excepting indeed the Esquimaux, who from the same circumstance of resemblance, and from identity of language, must be derived from the Greenlanders, and these probably from the northern parts of the old continent."

CHAPTER VIII.

NEW-YORK AND NEW-JERSEY, CONTINUED.—RISE AND PROGRESS OF NEW-YORK AND NEW-JERSEY, CONTINUED FROM CHAPTER IV.

IN our last, we noticed the capture and conquest of the city of New-Amsterdam, the conquest of the colony of New-Netherlands, by the English, the change of the names of the city and colony to that of New-York, in honor of the Duke of York, the proprietor. We will commence this chapter with the administration of Gov. Nicoll, who acted as deputy to his royal highness the Duke of York, and commander over all his territories in America. Although the administration of Gov. Nicoll was short, yet he accomplished several important objects. He settled the boundary lines between the colonies of New-York and Connecticut, as has been noticed under Connecticut; although some error appeared to have been committed in running this division line, yet the effects were the same as if the line had been true, because the mistake was afterwards corrected, and amicably adjusted. In 1664, a war commenced between England and Holland, which led Gov. Nicoll to seize on the estate of the Dutch West-India Company, and confiscate the same for the public benefit. About the same time he introduced an ordinance that all purchases of Indian lands should be by a deed of conveyance, and that under the sanction of the governor's license, and executed in his presence; otherwise such deed should be null and void. On the 12th of June, 1664, Gov. Nicoll incorporated the city of New-York, under the government of a mayor, five aldermen and a sheriff, and thus began to introduce the English mode of government. About the same time the governor regulated the limits of the townships on Long-Island, by the assistance of a deputation of

two from each town. This year the Governor was alarmed with information from England, that the Dutch Admiral Deruiter was about to pay him a visit; but the report proved groundless, and the English held a quiet possession through the war, and the peace of Breda confirmed their possession, 1667. Soon after the peace of Breda, Governor Nicoll returned to England, after having reigned over the colony in wisdom, prudence, justice, and moderation, in a plenitude of power, that was uncontrouled; for he decided and ordered all events, by his own edicts, without the forms of law, in a court. The sheriff executed all his edicts, even without complaint, and all was peace, order, and concord in the colony. Notwithstanding the inhabitants of Long-Island petitioned the legislature of Connecticut to take them under their jurisdiction, yet they say at the same time, that the administration of Gov. Nicoll is both mild and benevolent.

The Duke of York appointed Francis Lovelace as Governor, and successor to Gov. Nicoll, and he entered upon his administration in May, 1667. He ruled with wisdom and moderation, down to the year 1672, when the Dutch seized on the colony in the second Dutch war, which closed his administration. It is a well known historical fact, that at the commencement of this war, Charles II. by his profligate manners, had not only involved himself in debt, but to extricate himself, had actually listened to certain pecuniary propositions from Lewis XIV. king of France; by the means of which, Lewis had acquired such an ascendancy over Charles, as led him into the confederacy against the Dutch; the trifling pretext to which Charles resorted as just grounds for the war, may be seen in the following extract from a writing of those times.

“The king (of England) reproached the Dutch with disrespect, in not directing their fleet to lower their flag before an English ship; and they were also accused in re-

gard to a certain picture, wherein Cornelius De Witt, brother to the pensionary, was painted with attributes of a conqueror. Ships were represented in the back ground of the piece, as either taken or burnt. Cornelius De Witt, who had really had a share in the maritime exploits against England, had permitted this trifling memorial of his glory; but the picture, which was in a manner unknown, was deposited in a chamber wherein scarce any body ever entered. The British ministers who presented the complaints of their king against Holland, in writing, therein mentioned certain abusive pictures. The states, who always translated the memorials of Ambassadors into French, having rendered the word *abusive*, by the words *faulx trompeurs*, replied, they did not know what those *roguish pictures* (*ces tableaux trompeurs*) were. In reality it never entered into their thoughts that it concerned this portrait of one of their citizens, nor could they ever conceive that this could be a pretence for declaring war."

I have given this extract barely to shew that when men are disposed to quarrel they can never want a pretext, and that even the slightest will often serve their purpose, however serious may be the consequences.

Their Highmightinesses took care to remember, that in the last war the English had taken possession of their colony of New-Netherlands in America, and that they had confirmed the possession by the peace of Breda. They now considered themselves at liberty to enter into possession again of their former colony, if they could obtain it; accordingly they dispatched a small squadron to New-Netherlands, under the command of Cornelius Evertse, and Jacob Beekes. This fleet entered the harbour of New-York on the thirtieth of July, 1673, and summoned the fort in the name of the States General. Captain Manning, either through treachery, or cowardice, delivered up the fort at the discretion of the captors, and they took pos-

session without firing a gun. The commodores held a council of war at the state-house, where they summoned the magistrates and constables, from East-Jersey, Long-Island, Esopus, and Albany, to appear immediately at New-York: they appeared accordingly, and swore allegiance to the Prince of Orange. They ordered Governor Lovelace to depart the province, and by the consent of the Dutch commodore he embarked on board his ship, and sailed for England. The Dutch claimed the acquisition of all New-Jersey, and erected the colony into three jurisdictions, viz. Niewer Amstel, Upland and Hoer Kill, and appointed Anthony Colve as their governor, by the following commission.

“The honourable and awful council of war for their Highmightinesses the States General of the United Netherlands, and his Serene Highness the Prince of Orange, over a squadron of ships now at anchor in Hudson’s River, in New-Netherlands: and all those who shall see or hear these—Greeting. As it is necessary to appoint a fit and able person, to carry the chief command over this conquest of New-Netherlands, with all its appendencies and dependencies, from Cape Henlopen, on the south side of the South, or Delaware Bay, and fifteen miles more southerly, with the said bay and river included; so as they were formerly possessed by the directors of the city of Amsterdam, and after by the English government, in the name and right of the Duke of York; and further from the said Cape of Henlopen along the great ocean to the east end of Long-Island, and Shelter-Island; from thence westward to the middle of the Sound, to a town called Greenwich on the main, and to run landward in, northerly, provided said line shall not come within ten miles of North River, conformable to a provincial treaty made in 1650, and ratified by the States General in 1656, and 1664, with all lands, islands,

rivers, lakes, kills, creeks, fresh and salt waters, fortresses, cities, towns, and plantations therein comprehended. So it is that we being sufficiently assured of the capacity of Anthony Colve, captain of a company of foot in the service of their Highmightinesses, the States General of the United Netherlands, and his Serene Highness the Prince of Orange, &c. By virtue of our commission granted us by their before mentioned Highmightinesses and his Highness, have appointed and qualified as we do by these presents appoint and qualify the said Captain Anthony Colve, to govern and rule these lands, with the appendencies and dependencies thereof, as governor-general; to protect them from all invasion of enemies, as he shall judge most necessary; hereby charging all high and low officers, justices, magistrates, and others in authority, soldiers, burghers, and all the inhabitants of this land, to acknowledge, honor, obey and respect the said Anthony Colve, as governor-general; for such we judge necessary for the service of the country, waiting the approbation of our principals.

Thus done at Fort William Henderick, the 12th day of August, 1673."

"Signed by JACOB BEEKES.
CORNELIUS EVERTSE Jr."

I have inserted this commission, not so much for its own merits, as a geographical sketch of the extent of the claims the Dutch formerly maintained, and herein attempted to confirm. This may be considered the more necessary, to shew the true grounds of controversy, this patent of the Duke of York occasioned to the neighbouring colonies.

This territory was restored to the English at the peace of Westminster of 1674, upon the grounds of *uti possidetis*, at the commencement of the war. At the conclusion of this peace, the king granted a new patent to the Duke of

York, bearing date June 29th, 1674, and the duke commissioned Sir Edmond Andross as governor over all his territories in America.

Governor Andross received the resignation of the province from the Dutch, October 31st next ensuing, and entered upon the duties of his office, by calling a court martial to try Captain Manning, for his treacherous, and cowardly conduct in betraying the colony to the Dutch.

The following articles were exhibited against Manning, upon his trial.

“Article I. That the said Manning on the twenty-eighth day of July, 1673, having notice of the approach of the enemy’s fleet, did not endeavour to put the garrison in a state of defence; but on the contrary slighted such as offered their assistance.

“II. That while the fleet was at anchor under Staten-Island, on the thirtieth of July, he treacherously sent on board to treat with the enemy, to the great discouragement of the garrison.

“III. That he suffered the fleet to moor under the fort, forbidding a gun to be fired on pain of death.

“IV. That he permitted the enemy to land without the least opposition.

“V. That shortly after he had sent persons to treat with the Dutch commodores he struck his flag, even before the enemy were in sight of the garrison, the fort being in a condition, and the men desirous to fight.

“VI. And lastly, that he treacherously caused the fort gates to be opened, and cowardly and basely let in the enemy, yielding the garrison without articles.”

To all these charges Manning plead guilty, yet such was the lenity of the court, (because Manning had been in England, and seen the duke,) that they spared his life, by ordering his sword publickly to be broken over his head,

before the city hall, and himself disabled from holding any office of public trust in the colony hereafter.

Whatever may have been the policy of Governor Andross, in passing over so high an offence with so slight a punishment, it could not have arisen from the natural lenity of his own character, as may be seen by reverting to his transactions in New-England.

The character of the Duke of York, as a Papist, was well known in England and America; and some degree of that fire of persecution, which had raged with so much violence in England, now began to be felt in America. One Nicholas Rensalaer, a Dutch clergyman, came out to this province, and claimed the manor of Rensalaerwick, 1675. Governor Andross recommended him to a living in New-York, or Albany, but being suspected of being a Papist, the Dutch church at Albany refused to receive him; this opened a controversy; the governor interposed, and summoned the Dutch clergyman at Albany, Niewenhyt, to appear before him at New-York, and answer for his conduct. Niewenhyt appeared, and explained; but the governor was not satisfied, and accordingly treated Niewenhyt with such contempt, and suffered him to be harrassed with such numerous and vexatious law suits before the council, that the people resented the outrage. The magistrates at Albany imprisoned Rensalaer, for some exceptionable expressions in a sermon; the governor interfered, ordered his release, and summoned the magistrates to appear before him at New-York, and warrants were issued to compel them to give security in the sum of 5000*l.* each, to shew good cause for imprisoning Rensalaer. Such as refused to comply were thrown into prison, and the whole colony was in a general alarm. The public feeling was so much excited, and the public clamour so loud, that Sir Edmond was finally compelled to relinquish his ecclesiastical jurisdiction, and submit the whole controversy to the determin-

ation of the consistory of the Dutch church at Albany. Here the controversy ended; but the disaffection of the people did not so easily subside, and their indignation continued through the remainder of the governor's administration. Although the lust of domination, which formed an essential part of the character of Governor Andross, was rendered conspicuous in this controversy, yet his judgment directed him well, in settling the quarrel before the people proceeded to acts of violence, and thus rendered the remainder of his administration tranquil, until he caused Philip Carteret, governor of East-Jersey, to be arrested and brought prisoner to New-York, in 1680. Andross claimed the jurisdiction as belonging to the colony of New-York; but the duke interposed, restored Governor Carteret to his government, and removed Andross from his government, in 1682, and appointed Colonel Thomas Dongan as his successor. Colonel Dongan arrived on the 27th of August, 1683, and entered upon the administration of the province.

In 1685, Charles II. died, and was succeeded by the Duke of York, then James II. who appointed Sir Edmond Andross to the government of New-England; and he arrived at Boston December 1686, and entered upon his new government. This administration has been fully noticed under New-England. Although Governor Dongan was a professed Papist, he consulted the best interest of the province. In the year 1683, the governor issued orders to the sheriffs, to summon the free-holders to elect their representatives to meet in a General Assembly; the election was made accordingly, and they met in General Assembly, on the 17th of October, 1683. This popular step in the governor quieted the old factions, which had become so extensive, particularly on Long-Island, and restored harmony and confidence throughout the colony. This change in the government was the more agreeable, be-

cause it met the views of many of the people who had emigrated from Connecticut, and who had been accustomed to a free government ; the change was also highly pleasing to the Duke of York. The General Assembly expressed the gratitude of the people, by a most flattering address, which they presented to the governor, at the opening of the session.

The predecessors of Governor Dongan had paid very little attention to negotiations with the Indians, and left them open to the intrigues of the French priests and Jesuits, who had acquired a great ascendancy over the Five Nations, who are situated about the waters of the small lakes, and upon the river Mohawk.

By the instigations of these priests, these nations were joined in a confederacy against the settlements of Virginia and Maryland, and at the request of Lord Howard, governor of Virginia, together with the influence of Governor Dongan, they were assembled in council at Albany, and united in a firm treaty of peace, 1684.

Soon after this treaty, Monsieur De la Barre, governor of Canada, commenced a war upon the Five Nations, and entered their country with an army of 1700 men, and the total ruin of the Five Nations was meditated. De la Barre imported fresh troops from France, to prosecute the war, and the Duke of York at the same time instructed Governor Dongan, to maintain a strict neutrality ; but the governor saw with great concern the storm that was about to burst upon the savages ; disregarded the duke's instructions ; gave them timely notice, and promised his assistance. A mortal sickness, arising from bad provisions, commenced in the French army, and defeated the enterprise, and compelled De la Barre to make overtures of peace, and invite the Five Nations to a conference. Gov. Dongan by his influence, prevented the Mohawks and Senekas from attending the treaty ; but the Onondagas,

Oneidas, and Cayugas met the French governor in council, where he addressed them with the following speech.

“ The King my master, being informed, that the Five Nations have often infringed the peace, has ordered me to come hither with a guard, and to send Ohguesse to the Onondagas, to bring the chief Sachems to my camp. The intention of the Great King is, that you and I may smoke the Calumet of peace together ; but on this condition that you promise me, in the name of the Senekas, Cayugas, Onondagas, and Mohawks, to give entire satisfaction and reparation to his subjects, and for the future, never to molest them.

“ The Senekas, Cayugas, Onondagas, Oneydoes, and Mohawks, have robbed and abused all the traders that were passing to the Illinois and Miames, and other Indian nations, the children of my King. They have acted, on these occasions, contrary to the treaty of peace with my predecessor. I am ordered, therefore, to demand satisfaction, and to tell them, that in case of refusal, or their plundering us any more, that I have express orders to declare war. This belt confirms my words. The warriors of the Five Nations have conducted the English into the Lakes, which belong to the King, my master, and brought the English among the nations that are his children, to destroy the trade of his subjects, and to withdraw these nations from him. They have carried the English thither, notwithstanding the prohibition of the late Governor of New-York, who foresaw the risque that both they and you would run. I am willing to forget those things, but if ever the like shall happen for the future, I have express orders to declare war against you. This belt confirms my words. Your warriors have made several barbarous incursions on the Illinois and Umamies ; they have massacred men, women, and children, and have made many of these nations prisoners, who thought themselves safe in their villages in

time of peace ; these people, who are my King's children, must not be your slaves ; you must give them their liberty, and send them back into their own country. If the Five Nations shall refuse to do this, I have express orders to declare war against them. This belt confirms my words.

“ This is what I have to say to Garrangula, that he may carry to the Senekas, Onondagas, Oneydoes, Cayugas, and Mohawks, the declaration which the King, my master, has commanded me to make. He doth not wish them to force him to send a great army to Cadarackui Fort, to begin a war which must be fatal to them. He would be sorry that this fort, that was the work of peace, should become the prison of your warriors. We must endeavour, on both sides, to prevent such misfortunes. The French, who are the brethren and friends of the Five Nations, will never trouble their repose, provided that the satisfaction which I demand, be given ; and that the treaties of peace be hereafter observed. I shall be extremely grieved, if my words do not produce the effect which I expect from them ; for then I shall be obliged to join with the Governor of New-York, who is commanded by his master to assist me, and burn the castles of the Five Nations, and destroy you. This belt confirms my words.”

The contempt with which Garrangula listened to the speech of De la Barre, was first expressed by his walking five or six times round the circle, in the midst of which the French warrior was seated in his elbow-chair, and then by his thus addressing him.

“ YONNONDIO.

“ I honour you, and the warriors that are with me likewise honour you. Your interpreter has finished your speech ; I now begin mine. My words make hast to reach your ears ; hearken to them.

“Yonnondio, you must have believed, when you left Quebec, that the sun had burnt up all the forests, which render our country inaccessible to the French, or that the lakes had so far overflown the banks, that they had surrounded our castles, and that it was impossible for us to get out of them. Yes, Yonnondio, surely you must have dreamt so, and the curiosity of seeing so great a wonder has brought you so far. Now you are undeceived, since that I and the warriors here present, are come to assure you, that the Senekas, Cayugas, Onondagas, Oneydoes, and Mohawks, are yet alive. I thank you, in their name, for bringing back into their country the Calumet, which your predecessor received from their hands. It was happy for you, that you left under ground that murdering hatchet that has been so often died in the blood of the French. Hear, Yonnondio, I do not sleep, I have my eyes open, and the sun, which enlightens me, discovers to me a great captain at the head of a company of soldiers, who speaks as if he were dreaming. He says, that he only came to the Lake to smoke on the great Calumet with the Onondagas. But Garrangula says, that he sees the contrary, that it was to knock them on the head, if sickness had not weakened the arms of the French.

“I see Yonnondio raving in a camp of sick men, whose lives the great Spirit has saved, by inflicting this sickness on them. Hear, Yonnondio, our women had taken their clubs, our children and old men had carried their bows and arrows into the heart of your camp, if our warriors had not disarmed them and kept them back, when your messenger, Ohguesse, came to our castles. It is done, and I have said it. Hear, Yonnondio, we plundered none of the French, but those that carried guns, powder, and ball to the Twightwies and Chictaghicks, because those arms might have cost us our lives. Herein we follow the example of the Jesuits, who stave all the caggs of rum

brought to our castles, lest the drunken Indians should knock them on the head. Our warriors have not bever enough to pay for all these arms that they have taken, and our old men are not afraid of the war. This belt preserves my words.

“ We carried the English into our lakes, to trade there with the Utawawas and Quatoghies, as the Adirondacks brought the French to our castles, to carry on a trade, which the English say is theirs. We are born free ; we neither depend on Yonnondio nor Corlear.

“ We may go where we please, and carry with us whom we please, and buy and sell what we please : if your allies be your slaves, use them as such, command them to receive no other but your people. This belt preserves my words.

“ We knocked the Twightwies and Chictaghicks on the head, because they had cut down the trees of peace, which were the limits of our country. They have hunted bevers on our lands : they have acted contrary to the customs of all Indians ; for they have left none of the bevers alive, they killed both male and female. They brought the Satanas into the country, to take part with them, after they had concerted ill designs against us. We have done less than either the English or French, that have usurped the lands of so many Indian nations, and chased them from their own country. This belt preserves my words.

“ Hear, Yonnondio, what I say, is the voice of all the Five Nations ; hear what they answer ; open your ears to what they speak. The Senekas, Cayugas, Onondagas, Oneydoes, and Mohawks say, that when they buried the hatchet at Cadarackui (in the presence of your predecessor) in the middle of the fort ; they planted the tree of peace in the same place, to be there carefully preserved, that, in place of a retreat for soldiers, that fort might be a rendezvous for merchants : that in place of arms and

ammunition of war, bevers and merchandize should only enter there.

“Hear, Yonnondio, take care for the future, that so great a number of soldiers as appear there do not choak the tree of peace planted in so small a fort. It will be a great loss, if, after it had so easily taken root, you should stop its growth, and prevent its covering your country and ours with its branches. I assure you, in the name of the Five Nations, that our warriors shall dance to the Calumet of peace under its leaves, and shall remain quiet on their matts, and shall never dig up the hatchet, till their brother Yonnondio, or Corlear shall either jointly, or separately endeavour to attack the country which the great Spirit has given to our ancestors. This belt preserves my words, and this other, the authority which the Five Nations have given me.”

Garrangula then turning to the interpreter, Monsieur La Main, thus addressed him:—“Take courage Ohguesse, you have spirit, speak, explain my words, forget nothing, tell all that your brethren and friends say to Yonnondio, your governor, by the mouth of Garrangula, who loves you and desires you to accept of this present of bever, and take part with me in my feast to which I invite you. This present of bever is sent to Yonnondio on the part of the Five Nations.”

Monsieur De la Barre withdrew in silent chagrin, and retired to Montreal, and the next year he was succeeded in the government by the Marquis De Nonville, who brought out from France a regiment of troops in 1685.

I have given the above display of eloquence verbatim from Smith's History of New-York, as being perfectly characteristic of the two nations.

De Nonville, full of the pride of his nation, resolved to attempt to carry into effect the plan which De la Barre

had attempted with so much disgrace. Accordingly he projected the plan of erecting a strong stone fort at Niagara, and commenced his operations by sending large supplies to fort Frontenac, to strengthen the station from whence he expected to carry on his operations. Governor Dongan discovered his movements, and suspecting his designs, wrote him immediately, that any attempts against the Five Nations should be considered as a breach of the peace between the two crowns, and at the same time protested against his building a fort at Niagara, as being within the dependancies of New-York. De Nonville in his reply denied the charge in both points; but persisted in his preparations. Gov. Dongan gave no credit to his assertion; but strengthened the confederacy with the Five Nations, determined to defeat the plans of De Nonville.

The Five Nations were now chastising the Chictaghics, when the French governor collected a force of 2000 men and 600 Indians at Montreal, gave orders for all the French officers at the westward, amongst the Indians, to join him at Niagara, in a war against the Senecas.

• • • • The French at the same time, in violation of the treaty of Westminster, seized on the English traders, upon or about the lakes; this roused up the Five Nations to a sense of their danger, and they immediately prepared for war. Monsieur Companie, with a strong force from Canada, opened the war by a perfidious attack upon a party of the Five Nations, who were secure under the protection of the peace, near Lake Fadarackui, or Ontario. He entered their villages by surprize, took several captives, carried them to the fort Frontenac, and destroyed many of them with the most cruel tortures, and sent the rest home to France, where they were made slaves on board the gallies. On the 23d of June the marquis embarked his army upon the lake Ontario, and proceeded against the Senecas; he

advanced into their country, and approached their village, but saw no enemy. Suspecting that the enemy had fled at his approach, he quickened his pace to overtake the fugitives, when an ambush poured in a volley upon all sides, accompanied with the horrors of the war-whoop and the yells of the savages, which threw the troops into disorder; they fled in confusion and took shelter in the woods; the Senecas pursued their victory until the French Indians checked their triumph, and gave the marquis opportunity to collect his troops. The Senecas burnt their village and retired; the marquis destroyed their corn and retired to the lake, where he erected a small fort at the strait of Niagara, where he posted one hundred men under the command of Le Chevalier de la Troy, with provisions for eight months; but such was the vigilance of the savages that they all perished with famine, except a remnant who were relieved in the midst of their distress.

Alarmed for the safety of the English settlements, Gov. Dongan invited the Five Nations to a conference at Albany, in the month of August, where he addressed them with the following speech:

“Brethren,

“I am very glad to see you here in this house, I am heartily glad that you have sustained no greater loss by the French, though I believe it was their intention to destroy you all, if they could have surprised you in your castles.

“As soon as I heard their design to war with you, I gave you notice and came up hither myself, that I might be ready to give all the assistance and advice that so short a time would allow me.

“I am now about sending a gentleman to England, to the king my master, to let him know that the French have invaded his territories on this side of the great lake, and warred upon the brethren, his subjects. I therefore would

willingly know whether the brethren have given the governor of Canada any provocation or not; and if they have, how, and in what manner; because I am obliged to give a true account of this matter. This business may cause a war between the king of England, and the French king, both in Europe and here, and therefore I must know the truth.

“ I know the governor of Canada dare not enter into the king of England’s territories in a hostile manner, without provocation, if he thought the brethren were the king of England’s subjects; but you have two or three years ago, made a covenant chain with the French, contrary to my command, (which I knew could not hold long) being void of itself among the christians; for as much as subjects, (as you are) ought not to treat with any foreign nation; it not lying in your power. You have brought this trouble on yourselves, and, as I believe, this is the only reason of their falling on you at this time.

“ Brethren, I took it very ill, that after you had put yourselves into the number of the great king of England’s subjects, that you should ever offer to make peace or war without my consent. You know that we can live without you; but you cannot live without us. You never found that I told you a lie, and I offered you the assistance you wanted, provided that you would be advised by me; for I know the French better than any of you do.

“ Now since there is a war begun upon you by the governor of Canada; I hope without any provocation by you given; I desire and command you, that you hearken to no treaty but by my advice; which if you follow, you shall have the benefit of the great chain of friendship between the great king of England, and the king of France, which came out of England the other day, and which I have sent to Canada by Anthony le Junard; in the mean time I will

give you such advice as will be for your good ; and will supply you with such necessaries as you will have need of.

“ First, My advice is, as to what prisoners of the French you shall take, that you draw not their blood ; but bring them home, and keep them to exchange for your people, which they have made prisoners already, or may take hereafter.

“ Secondly, That if it be possible that you can order it so, I would have you take one or two of your wisest sachems, and one or two of your chief captains of each nation, to be a council to manage all affairs of the war. They to give orders to the rest of the officers what they are to do, that your designs may be kept private ; for after it comes among so many people, it is blazed abroad, and your designs are often frustrated ; and those chief men should keep a correspondence with me by a trusty messenger.

“ Thirdly, The great matter under consideration with the brethren is, how to strengthen themselves, and weaken the enemy. My opinion is, that the brethren should send messengers to the Utawawas, Twichtwies, and the farther Indians, and to send back likewise some of the prisoners of these nations, if you have any left, to bury the hatchet, and to make a covenant-chain, that they may put away all the French that are among them, and that you will open a path for them this way, (they being the king of England’s subjects likewise, though the French have been admitted to trade with them ; for all that the French have in Canada, they had it of the great king of England,) that, by that means, they may come hither freely, where they may have every thing cheaper than among the French : that you and they may join together against the French, and make so firm a league, that whoever is an enemy to one, must be to both.

“ Fourthly, Another thing of concern is, that you ought to do what you can to open a path for all the north Indians and Mahikanders that are among the Utawawas and

further nations. I will endeavour to do the same to bring them home. For, they not daring to return home your way, the French keep them there on purpose to join with the other nations against you, for your destruction, for you know, that one of them is worse than six of the others ; therefore all means must be used to bring them home, and use them kindly as they pass through your country.

“ Fifthly, My advice further is, that messengers go in behalf of all the Five Nations, to the christian Indians at Canada, to persuade them to come home to their native country. This will be another great means to weaken your enemy ; but if they will not be advised, you know what to do with them.

“ Sixthly, I think it very necessary for the brethren’s security and assistance, and to the endamaging the French, to build a fort upon the lake, where I may keep stores and provisions in case of necessity ; and therefore I would have the brethren let me know what place will be most convenient for it.

“ Seventhly, I would not have the brethren keep their corn in their castles, as I hear the Onondagas do, but bury it a great way in the woods, where few people may know where it is, for fear of such an accident as happened to the Senekas.

“ Eighthly, I have given my advice in your general assembly, by Mr. Dirk Wessels and Akus, the interpreter, how you are to manage your parties, and how necessary it is to get prisoners, to exchange for your own men that are prisoners with the French, and I am glad to hear that the brethren are so united as Mr. Dirk Wessels tells me you are, and that there was no rotten members nor French spies among you.

“ Ninthly, The brethren may remember my advice which I sent you this spring, not to go to Cadarackui ; if you had, they would have served you, as they did your

people that came from hunting thither, for I told you that I knew the French better than you did.

“ Tenthly, There was no advice or proposition that I made to the brethren all the time that the priest lived at Onondaga, but what he wrote to Canada, as I found by one of his letters, which he gave to an Indian to carry to Canada, but which was brought hither ; therefore, I desire the brethren not to receive him, or any French priest any more, having sent for English priests, with whom you may be supplied to your content.

“ Eleventhly, I would have the brethren look out sharp, for fear of being surprised. I believe all the strength of the French will be at their frontier places, viz. at Cadorackui and Oniagara, where they have built a fort now, and at Trois Rivières, Montreal and Chambly.

“ Twelfthly, Let me put you in mind again, not to make any treaties without my means, which will be more advantageous for you, than your doing it by yourselves, for then you will be looked upon as the king of England’s subjects, and let me know, from time to time, every thing that is done.

“ Thus far I have spoken to you relating to the war.”

I have given this speech before this council, at large, to shew the measures pursued by Gov. Dongan to recover the peace, friendship, and alliance of the Five Nations ; the sequel of our history will shew the good effects of this policy, as well as the artful methods that were taken by the French to defeat it. The character of the Five Nations, genius of their government, religion, habits, and manner of life, &c. may be seen in a subsequent chapter.

The Five Nations were now assured of the friendship of the English governor and of his support, as far as the means of advice, and the supplies of trade, could give support. They now entered with spirit into a preparation to

revenge upon the French the outrage done to their nations by the invasion of De Nonville, and the capture of their brethren that were sent to France, and imprisoned in servitude on board the gallies. To effect this, the Mohawks and Mackikanders, made a descent upon Fort Chambly, near the north end of Lake Champlain, burnt part of the village, and took many captives, which they brought down to Albany. By this may be seen the confidence, and friendly intercourse that followed Gov. Dongan's speech to the council.

About the same time forty Onondagas, surprised and took a party of French soldiers near Fort Frontenac, whom they brought in and confined as a pledge for the return of their brethren on board the gallies.

Tamberville, a French priest, by all his acts of persuasion and presents, endeavoured to prevent their joining the Senecas ; but the speech of Gov. Dongan prevailed over presents, and the prisoners were confined.

Gov. Dongan wrote to Gov. De Nonville to demand an explanation of the conduct of the priest, and was answered by a message sent by a spy, to solicit his influence to have the prisoners restored. The governor replied, when the galley Indians, and the Caghnuaga Indians were returned, the forts at Frontenac and Niagara razed, and the Senecas were satisfied for their losses in the war, then peace might be made with the Five Nations. Thus the priest was dismissed, with orders, not to visit the Mohawks, and he returned to Montreal.

Thus Gov. Dongan maintained the supremacy of peace and war over the Five Nations, which he held by persuasion, as well as coercion ; for whenever they shewed a disposition to treat with the French, he withheld his supplies, and refused all aid and assistance, which brought them to terms and kept them steady. In the midst of this successful management, King James II. through the

instrumentality of the Papacy, broke this chain of influence and controul, by his special order to Gov. Dongan to yield to the wishes of the governor of Canada, and suffer the Five Nations to treat for peace. Dongan yielded accordingly, and a treaty was held at Montreal soon after, where De Nonville made a speech to more than 12,000 of the confederates, or Five Nations ; a mutual redelivery of prisoners was agreed upon, the French were allowed to supply Fort Frontenac, and the allies of De Nonville were included in the peace, 1688.

This peace was of so short a continuance, that it can hardly be said to bear the name of peace, and the manner in which this peace was changed into war, is worthy of notice. It will be recollected that Gov. Dongan had recommended to the Five Nations, among other things, to cultivate an alliance with the Indians of the west, which had been done, generally : but the Dinondadies, although they traded with the English at Michilimakinak, were at war with the Five Nations, and thereby the confidence of the French was lost, and their resentment feared as a consequence of this peace : to obviate this as well as to break the treaty, Adario, chief of the Dinondadies, (who dwelt near to Michilimakinak,) put himself at the head of a body of one hundred of his Indians, directed his course to the path of the return of the ambassadors of the Five Nations, from the treaty at Montreal, and met them at one of the falls of Cadarackui, killed some, and took the others prisoners. To excuse this outrage on the ambassadors, Adario, when he learnt that they were clothed with the sacred rights of ambassadors, counterfeited the utmost distress, anger, and shame, at his becoming the disgraceful tool of the governor of Canada, and thus addressed himself to Dekanesora, the chief of the embassy. " Go, my brethren, I untie your hands, and send you home again, though our nations be at war. The French governor has made me

commit so black an action that I shall never be easy after it, till the Five Nations shall have taken full revenge."

The stratagem succeeded ; the confederates, fired with the keenest resentment at this treachery of De Nonville, against the sacred rights of their ambassadors, thirsted for instant revenge ; they, at the return of the ambassadors, who were thus set at liberty, assembled their warriors, took up the hatchet, directed their path to the shores of Montreal, landed 1200 men, and set fire to their dwellings, sacked their plantations, and butchered all the men, women, and children they could find ; all in the midst of the greatest security so recent a peace could afford. More than one thousand French were slain ; and twenty-six burnt alive, and carried into captivity ; such is the violence of the passions of an Indian, and such his cruelty, when a sense of his wrongs whet up his thirst for revenge. —July, 1688.—In the month of October following, the confederates surprised the lower part of the island of Montreal, laid waste the settlements, and carried off many captives, filling the island with distress and desolation.

This stroke was not only the most severe that Canada had ever felt, but it spread a general alarm throughout the French settlements and posts ; the garrison at Ontario, set fire to their two vessels, abandoned their fort, and fled to Montreal, with such precipitation that the crew of one boat was lost, in passing down the falls of Cadarackui. The confederates on their return, seized on the fort, magazines, and stores, &c. and such was the general alarm throughout the country, that all the allies of the French deserted them, except the Nipiciniraniens and Kickabous ; the others generally made peace with the English. The western Indians threatened to murder every Frenchman among them ; but were prevented by the address of the Jesuit priest.

Flushed with such general success, the Five Nations continued their depredations into Canada, harassed their settlements with such continued alarms, and murders, as defeated the labours of the husbandman, and involved the whole province in famine. Had the Indians understood the arts of attack upon fortresses, all Canada must have fallen a sacrifice to the rage of savage war, and the French have been driven from America. Had Gov. Dongan joined the confederacy at this critical moment, the conquest of Canada would have been easy and certain.

In the midst of these unparalleled successes, Gov. Dongan, with all his zeal for the service of his master, and the best interest of the colony, incurred the displeasure of the king, and shared with many others, the frowns of that Popish bigot, that shadow of a king, as one of the base acts of his expiring reign.

During the Popish reign of King James, the peace of the colony began to be shaken by numerous Popish emigrants, who had come in, and who were favourably received by the governor. The Protestants took the alarm, and a scene of discord and strife between Papists and Protestants, was ready to burst upon the people, when the good news of the revolution in England, the flight of James II. to France, and the accession of William and Mary, were announced to the colony. Joy and satisfaction beamed in every Protestant countenance, and gladdened their hearts. The Protestants, with Col. Lesler at their head, seized upon the fortress at New-York, in the name of King William, and the militia supported him. Gov. Dongan resigned the chair to Col. Nichols, as the deputy-governor, and embarked for England; the deputy-governor claimed the right of administering the government, the people were divided, and all was confusion. At this critical moment three ships were announced in the harbour, and approaching the town; this decided the scale; all the peo-

Thus we have witnessed the good that God in his providence has caused to spring out of this despotic Popish reign of James II. by not only laying a foundation of friendly intercourse amongst the Indians, through the instrumentality of Gov. Dongan, and thus bringing ruin on the French, the scourge of the English in America ; but by exciting the feelings of the people to the subject of religion, and thus opening the way for the introduction of that Gospel into the colony of New-York, where it had been but little regarded, and where it proved the means of promoting a unity of sentiment, effort, and design, with those New-England colonies, whose civil and religious institutions had been, and have continued to be, the palladium of New-England, and whose support was about to become important to the peace, happiness, safety, and even independent existence of the colony of New-York.

We will now bring forward the colony of New-Jersey.

CHAPTER VIII.

NEW-JERSEY CONTINUED.—RISE AND PROGRESS OF NEW-JERSEY FROM THE CONQUEST BY THE ENGLISH, 1673, TO THE REVOLUTION, 1702.

IN Chapter IV. we brought forward the history of New-Jersey, in connection with New-York, down to the conquest of the English, 1673.—We will now resume the subject, and bring forward the history of New-Jersey.

In the year 1674, Lord Berkely claimed one half of New-Jersey, who conveyed his claim to John Fenwick, in trust for Edward Billinge, and his assigns. The next year Fenwick embarked for America with several families, and commenced a settlement in West-Jersey, which he called Salem. The principal characters that came out with Fenwick, were Edward Champness, Edward and Samuel Wade, John Smith, Samuel Nichols, Richard Grey, and others. Billinge being in debt, agreed to resign up his interest in the province to his creditors, and William Penn, Gawen Lawrie, and Nicholas Lucas, were appointed his trustees, to dispose of the lands accordingly, 1676. This arrangement caused a division of the state into East, and West-Jersey, in the following manner. The division line in granting lands upon this settlement, ran from the east side of little Egg-harbour, directly north through the country, to the utmost branch of the river Delaware. All that upon the east side of this line became East-Jersey, and all that upon the west side became West-Jersey. When the division was closed, a controversy arose between Fenwick and Billinge, that retarded the settlement for about two years.

West-Jersey was next divided into one hundred shares; Fenwick took ten to satisfy his claim, and the other ninety were sold for the benefit of Billinge's creditors. Two

companies of Quakers in London and Yorkshire, became the purchasers of the major part of West-Jersey. In 1677, these companies sent out a colony to settle West-Jersey, consisting of about one hundred and thirty people, who all arrived safe at New-Castle. Commissioners arrived also, to extinguish the Indian titles to such lands as they might wish to occupy, and thus provision was made for a settlement. The sufferings of this little colony were severe at first; but after they had made the purchases of the Indians, they both agreed to settle upon the island of Chigoes, which they called Burlington.

The Duke of York made as firm a grant of the powers of government to Lord Berkely, and Sir George Carteret, as he did of the soil; and they, by the same powers guaranteed to the people, the rights of civil and religious liberty, as fully and as amply as they were engaged in New-England; but they soon fell under the same despotic power, and in 1680, were doomed to suffer the tyrannical usurpation of that Andross, the scourge of whose rod we have so fully witnessed in New-England. The proprietors, Sir George Carteret and Mr. Fenwick, resisted this usurpation, but Andross extended the arm of his tyranny from his government at New-York, seized Sir George and Mr. Fenwick, transported them out of the colony, and imprisoned them in New-York: he next proceeded to lay a tax of ten per cent duty upon all goods imported at the Hoer Kill;* and five per cent upon the settlers at their arrival or afterwards, at the pleasure of the officer. Andross was the creature of the Duke of York, and these measures were conformable to the views of his despotic, avaricious master. The proprietors demanded satisfaction, upon the rights of their charter; the duke claimed to be heard by commissioners; the parties agreed; commis-

* Estimating the goods at the aggregate amount of the bills of shipment in England.

sioners were appointed; they met accordingly, and gave a full hearing to the parties. The proprietors plead, that the king had made a full conveyance, by his grant to the Duke of York, not only of the soil of New-Jersey, but the right of government, and that the Duke of York had, for good and valuable consideration, conveyed to the proprietors all the rights vested in him by virtue of the king's patent, and that of course, all the rights of jurisdiction, forever, were alienated from the Duke of York, and vested in them. Further, they state that the powers of government were expressly granted in the conveyance; and that was a sinequanon in the purchase; for this was the basis on which the happiness, peace, and prosperity of the colony were to depend: that a soil, however good, would be no inducement for settlers to jeopard their lives and properties, in clearing up a wilderness, unless they could be assured of an inviolable possession of their civil and religious rights. They plead that Englishmen, who lived under the protection of those laws that barred the king from taking the property of his subjects, without their consent, would never consent to alienate those rights, for the possession and enjoyment of property, however inviting the soil and situation, where the rights were vested in the despotic will of a lord and master; and that upon this principle, the rights of government must rest in the proprietors and their settlers, or New-Jersey would forever remain a wilderness. The settlers of New-Jersey will never consent to become tenants at will. The customs were removed.

Edward Billinge was appointed Governor, and Samuel Jennings Deputy-Governor, and his Excellency summoned a General Assembly from East and West Jersey, to meet on the 25th day of Nov. 1681. This assembly met accordingly, and exercised all the powers of legislation that the proprietors had claimed as belonging to their pur-

chase, and which they, in their turn, had vested in the people. They enacted such wise and salutary laws as were essential to the peace, safety, and prosperity of a free and rising colony : these were to secure the unalienable, as well as inviolable rights of life, liberty, and property, with the rights of conscience. They ordered that there should be annually, one free assembly, chosen by the freemen of the colony ; that the governor should not prorogue nor dissolve the assembly, nor enact any law, impose any custom, nor raise money without the consent and concurrence of the General Assembly ; and that he should not on any account, raise war, or any military force within the colony ; and that he should not defer the signing and sealing the acts of the assembly. They also ordained that the assembly should not give to the governor of the province, any tax or custom for a longer term than one complete year ; that all officers of trust, should be appointed by the General Assembly, and that no man should be condemned or hurt, without the judgment of twelve jurymen. This oppression of Andross, if it did not promote the principles of civil and religious liberty, which we see so conspicuously interwoven in the system of government for New-Jersey, by exciting the people to guard against similar oppressions hereafter ; it at least taught them the value of those liberties they did enjoy, and rendered them careful to preserve, as well as not to abuse them. We have witnessed, in the first volume, the same attempts of the creature Andross, to subvert the free governments of New-England, soon after his attempts upon New-Jersey, and at the revolution of 1688, we have seen him siezed by the people of Boston, and sent a prisoner to England, agreeable to order of his Majesty King William, May 1689.

In 1702, the proprietors of East and West-Jersey, resigned up their government to the crown of Queen Ann,

and thus became, and have ever after continued one government.

Thus we have seen how God overrules all events, even the most adverse, to promote the great designs of his providence, and the best good of his people. The calculation of King Charles II. in giving that absurd patent to the Duke of York, (his brother,) was expressly for the purpose of introducing such a system of government, as would subvert the free charters of New-England, and prevent the introduction of any others of the like, and to introduce the Papal religion, upon the ruins of the Puritan Church in America.

When the Duke of York came to the throne of England, upon the death of his brother, we have a full confirmation of this fact, by the despotic attempts he made to establish Popery upon the ruins of the Protestant Church in England. But the people, both in England and America, were true to themselves, and God smiled upon their efforts; King William and Queen Mary, were called by the people to the throne of England; James fled to France, Andross was imprisoned; and the Church in England and America was free. [*See Volume I. Causes that promoted the settlement of America.*] This rod of tyranny doubtless was designed to shew the people of America, a sample of that despotism that awaited them at the commencement of the revolution, and prompted them to unite in resisting the tyrant at the threshold of that usurpation; led them to sieze the bull by the horns, and proclaim and maintain their independence.

CHAPTER IX.

PENNSYLVANIA.

INTRODUCTORY SKETCH OF THE CAUSES THAT LED TO AND PROMOTED THE SETTLEMENT OF PENNSYLVANIA.

IN the first volume of this work, containing the history of New England, the rise and progress of the Puritan Church, her sufferings and persecutions in England, and her removal by the pilgrims to the wilds of New-England, have been fully noticed, together with the rise and progress of the same Puritan Church, in driving out the heathen, and in planting this modern Canaan of God in the wilderness of the west. In tracing the rise and progress of the colonies south of the Hudson, from the year 1610, down to the commencement of the 18th century, not one solitary instance has yet appeared, where the religion of the gospel has formed an essential feature in the rise and progress of either of their governments. Whatever features of religion may have appeared, they have been either collateral, or accidental, and therefore form no part of their colonial characters. The history of Pennsylvania, whose chronological order in the course of our history now claims particular notice, like the colonies of New England, had its origin in a religious persecution, and fixed its basis upon a religious establishment. Although this establishment was not a part of the Puritan Church; but a sect who had suffered severe and cruel persecutions in England, and even in America, amongst the Puritans of New-England; yet it was an establishment founded upon the broad basis of the gospel of peace, and embraced its fundamental principle of love to God, and benevolence to men. The purity of the gospel, the simplicity of the gospel, and the power of the gospel, became the leading points of faith with

that people, who followed their leader from the persecutions of the English Church, and planted the colony of Pennsylvania in the wilds of America. With most men the names of things stand as explicatives of their qualities, worth, and value ; and the name of Quaker, which distinguished this religious sect, carried with it in England, and even brought with it into the wilds of America, a degree of reproach, which in some measure continues to this day ; but in sketching the rise and progress of this colony, it is my design to trace the character of this religion, in its powerful influence, and happy effects, in promoting the rise and progress of one of the happiest and most prosperous colonies in the whole American confederacy ; and thereby wipe off, as far as possible, that reproach, which men have attached to its name, by unfolding its merits, in promoting the prosperity of the colony of Pennsylvania, by its fixed and steady principles of peace on earth and good will to men.

“ William Penn, the great legislator of the Quakers in Pennsylvania, had the success of a conqueror, in establishing and defending his colony, among savage tribes, without ever drawing the sword ; the goodness of the most benevolent rulers, in treating his subjects as his own children ; and the tenderness of a universal father, who opened his arms to all mankind, without distinction of sect or party. In his republic it was not the religious creed ; but personal merit, that entitled every member of society to the protection, and emoluments of the state.”

Essay on Toleration.

The part that William Penn was called to act, as one of the trustees of Edward Billinge, in adjusting his estate in West-Jersey, has been noticed ; this gave him not only an acquaintance with this colony, but led to the knowledge

which he afterwards acquired of Pennsylvania, and to his final possession and settlement of that colony. The motives that induced William Penn to enter upon the settlement of the colony which bears his name, are thus expressed by his historian, Robert Proud.

“They were the best and most exalted that could occupy the human mind ; to render men as free and happy as the nature of their existence and circumstances could possibly bear, in their civil capacity and in their religious state ; to restore to them those lost rights and privileges, with which God and nature had originally blessed the human race. This in part he effected ; and by those means which Providence, in the following manner, put into his hands, he so far brought to pass as both to excite the admiration of strangers, and to fix in posterity that love and honor for his memory, which the length of future time will rarely ever be able to efface.”

The distinguished services of admiral Penn, had brought him into favour at court ; which favour descended to his son William Penn, although a Quaker, and enabled him to obtain, by way of compensation for a large sum of money due to his father from the government, that district of country in America, now known by the name of Pennsylvania. William Penn was made and constituted full and absolute proprietor of all this tract of land and province, with full powers of government over the same, by a charter bearing date Westminster, the fourth day of March, 1681.

The true reasons that moved his majesty to make this grant, are fully expressed in the following preamble.

“The charter of Charles II. &c. unto William Penn, proprietary and governor of the province of Pennsylvania.

“ Charles by the grace of God, king of England, Scotland, France and Ireland, defender of the faith, &c. to all to whom these presents shall come—Greeting—

“ Whereas our trusty and beloved subject, William Penn, Esq. son and heir to Sir William Penn, deceased, (out of a commendable desire to enlarge our British empire, and promote such useful commodities, as may be of benefit to us and our dominions, as also to reduce the savage natives, by just and gentle manners, to the love of civil society and the Christian Religion,) hath humbly besought leave of us to transport an ample colony into a certain country, hereafter described, in the parts of America not yet cultivated and planted; and hath likewise so humbly besought our Royal Majesty to give, grant, and confirm, all the said country, with certain privileges and jurisdictions, requisite for the good government and safety of the said country and colony, to him and his heirs forever.

“ Therefore know ye, &c. having regard to the memory and merits of his late father, in divers services, particularly to his conduct, courage, and discretion, under our dearest brother James, Duke of York, in that signal battle and victory, fought and obtained against the Dutch fleet commanded by the Hon. Van Opdam, in the year 1665, &c. do give and grant unto the said William Penn, his heirs and assigns, all that tract or part of land in America, with the islands thereunto pertaining, as the same is bounded on the east by Delaware River, from twelve miles distance, northwards of New-Castle Town, unto the three-and-fortieth degree of north latitude, if the said river doth extend so far north; but if the said river doth not extend so far north, then by the said river as far as it doth extend, and from the head of said river, the eastern bounds are to extend, and be determined by a meridian line, from the head of said river to the 43d degree of north latitude. The said lands to extend westward five degrees in longitude, to be

computed from said eastern bounds. Said lands to be bounded on the north by the said 43d degree, and on the south by a circle drawn twelve miles distance from New-Castle, northward and westward unto the beginning of the fortieth degree of north latitude, and then by a straight line westward, to the limits of the longitude above mentioned," &c.

This patent goes on in this stile, through twenty-three long sections, in which the rights, powers, and privileges of the proprietary are more full, ample, and definite, than any other patent that has come to our knowledge. I have given the words of the patent thus far, to shew, that notwithstanding it is so clearly and expressly defined, yet a dispute arose between Maryland and Pennsylvania, about the right of possessing lands lying upon the 40th degree—that it occasioned much time and expense, and was finally divided, between the contending parties, fixing the southern boundary of Pennsylvania at 39 degrees 44 minutes, where it now stands.

These preliminaries for the settlement of the colony being closed, William Penn published his patent, and such a general description of the province as could then be obtained, and offered his lands for sale, at forty shillings sterling the hundred acres, or one shilling per annum for ever, with good conditions of settlement to such as might wish to become adventurers. To shew the purity of his motives, William Penn published a general caution to adventurers against making hasty movements, and thus concludes—

“I desire all my dear country-folks who may be inclined to go into those parts, to consider seriously the premises, as well the inconveniences, as future ease and plenty; that so none may move rashly, or from a fickle, but a solid mind; having above all things an eye to the providence of God, in disposing of themselves; and I would further advise all

such at least to have the permission, if not the good liking, of their near relations, for that is both natural and a duty incumbent upon all. By this will natural affections be preserved, and a friendly and profitable correspondence be maintained ; in all which I beseech Almighty God to direct us ; that his blessing may attend our honest endeavours ; and then the consequence of all our undertakings will turn to the glory of His great name, and all true happiness to us and our posterity. Amen."

This address had the desired effect in England ; it excited the attention of the disciples of George Fox,* whose confidence was now strongly fixed upon William Penn ; a company was soon formed in London, under the name of *the Free Society of Traders in Pennsylvania* ; twenty thousand acres of land were immediately purchased, and articles of trade were drawn up and published, and entered upon by several divisions of the company, which were soon followed by others ; and Pennsylvania became at that day, what we have seen different sections of the western country become in our days, theatres of ambition, enterprise, agriculture, and trade. Religion formed the bond of civil and social intercourse and union amongst this people, and rendered Pennsylvania a brotherhood of adventurers.

William Penn, by the deeds of settlement, or the conveyance of his lands, guaranteed to each settler, that constitution, or form of government, which was vested in him by the fundamental principles of his charter, and which secured to each settler the unalienable rights of civil and religious liberty. These rights or rules of settlement, regarded the treatment required towards the savages, particularly *justice and friendship, &c.* [See Appendix E.]

In 1681, two ships from London and one from Bristol sailed for Pennsylvania ; these all arrived safe with settlers

* Founder of the sect called Quakers, in the 17th century.

for the new colony, and brought out William Markham, the deputy governor, with several commissioners to unite with him, in treating with the Indians and purchasing their lands, &c. William Penn being a Quaker and opposed to all methods of coercion, saw clearly that the peace, safety, and even the whole success of his colony, depended upon maintaining the principles of strict justice, with a mild and gentle policy towards the natives; relying upon such a policy as the only means of securing their peace, friendship, and confidence; knowing the ferocity of their nature, he strove to establish and maintain such an intercourse with them, as should disarm them by his goodness, kindness, and benevolence, and thereby hoped to avert from his colony those horrors of war, which so often distressed, wasted, and even ruined some of the other provinces; and from whose calamities not one of them had hitherto been exempt. This policy was well calculated to insure the peace and prosperity of the colony; but William Penn was actuated by higher and nobler motives of policy, a policy which embraced the eternal principles of justice and benevolence, well calculated not only to restrain the violent natures of the savages, but to tame them into an observance of the great principles and duties of the gospel. The following letter of William Penn, addressed from London, in the year 1681, to the natives of Pennsylvania, may serve to illustrate the truth of these remarks.

“MY FRIENDS—

“There is a great God and power, that hath made the world and all things therein, to whom you, and I, and all people owe their being, and well-being; and to whom you and I must one day give an account for all that we do in the world.

This great God hath written his law in our hearts, by which we are taught and commanded to love, and help, and

do good to one another. Now this great God hath been pleased to make me concerned in your part of the world, and the king of the country wherein I live, hath given me a great province therein ; but I desire to enjoy it with your *love and consent*, that we may always live together as neighbours and friends, else what will the great God do to us, if we devour and destroy one another ; but to live soberly and kindly together in the world ? Now I would have you well observe, that I am very sensible of the unkindness and injustice, that have been too much exercised towards you, by the people of these parts of the world ; who have sought themselves to make great advantages by you, rather than to be examples of goodness and patience unto you, which I hear hath been a great trouble unto you, causing great animosities, and even the shedding of blood, which hath made the great God very angry. But I am not such a man, as is well known in my country. I have great love and regard towards you ; and desire to win and gain your love and friendship, by a kind, just and peaceable life ; and the people I send are of the same mind ; and shall in all things behave themselves accordingly ; and if in any thing any shall offend you or your people, you shall have speedy redress and satisfaction ; by an equal number of just men on both sides ; that by no means you may have just occasion of offence against them.

“ I shall shortly come to you myself, at which time we may more largely and freely converse of these matters ; in the mean time, I have sent my commissioners to you to treat about land, and a firm league of peace ; let me desire you to be kind to them, and the people, and receive their *presents and tokens* of friendship, which I have sent to you as a testimony of *my good will to you*, and my resolution to live justly, peaceably, and friendly with you.”

I am your loving friend.

WILLIAM PENN.

I have inserted this letter at large, not only to shew the stile and principles which it contained ; but likewise to shew how well William Penn understood the character of the people he addressed, and the good effects it produced, as may be seen in the sequel.

We have seen in Appendix E, the conditions belonging to each contract, sale, or conveyance of land for settlement, in Pennsylvania. In Appendix F may be seen the form of government agreed upon in England, between William Penn and his settlers, entitled the “ Frame of Government of the Province of Pennsylvania, in America,” &c. William Penn, in his preface, has a number of remarks upon government, which, although inserted at large in the Appendix, it may not be uninteresting to give a few extracts from in this place.

After having examined several portions of the sacred volume relative to government, he thus concludes :—“ This settles the divine right of government, beyond exception, and that for two ends ; first, to terrify evil doers, and to reward such as do well ; which gives government a life beyond corruption, and makes it as durable in the world, as good men shall be,” &c.

“ They weakly err who think there is no other use of government than *correction*, which is the coarsest part of it ; daily experience tells us, that the care and regulation of many other affairs, more soft and daily necessary, make up much the greater part of government, and which must have followed the peopling of the world, had Adam never fallen.”

There is hardly *one frame of government* in the world, so ill designed by its first founders, that in good hands would not do well enough, and history tells us that the best in ill ones, can do nothing that is great and good ; witness the *Jewish and Roman States*. Governments, like

clocks, go from the motion men give them; and as governments are made and moved by men, so by them they are ruined too. That therefore which makes a good government must keep it; viz. men of wisdom and virtue; qualities, that because they descend not by worldly inheritances, *must be carefully propagated by a virtuous education of youth. &c.*

“The true design of government is to support power in reverence with the people, and to secure the people from the abuse of power—for liberty without obedience is confusion; and obedience without liberty is tyranny.” To effect this, *a wise constitution must always be directed by a virtuous administration.*

In 1682, William Penn obtained of the Duke of York a release of all right, title, and claim which he had or might be supposed to have, to the province of Pennsylvania, together with another conveyance of all claims to the territory lying upon the River Delaware, called by the Dutch *“the three lower counties,”* as were described under New-York. These counties lying upon the west side of Delaware Bay, extended from the south boundary of the province, to Cape Henlopen, beyond or south of Lewistown, which by the duke were conveyed to William Penn, by two deeds; the first containing the town of New-Castle, and a district of twelve miles round it, as far as the River Delaware; and the second comprehended that tract of land from twelve miles south of New-Castle to Hoer-Kill, otherwise called Cape Henlopen, divided into two counties, Kent and Sussex; *called the territories of Pennsylvania.*

I have been the more particular in defining these grants, on account of the dispute which arose hereafter between Pennsylvania and Delaware, concerning these lands, in the long controversy that attended the settlement of their

boundary, and which was not fully closed until the year 1732.

In August 1682, William Penn, after thus having arranged his claims by these conveyances from the Duke of York, embarked on board the ship *Welcome*, of 300 tons, Robert Greenway master, together with a number of his friends, and set sail for America. Before the ship left the *DOWNS*, he wrote an epistle to England, containing a valedictory salutation to all faithful friends, &c. as well as a reproof to the unfaithful, and a visitation to the enquiring. In their passage the small pox-broke out in the ship, and destroyed about thirty of their number, which rendered the scene peculiarly trying, and the kind attention of the proprietary, peculiarly interesting and acceptable. After a passage of six weeks, the ship arrived safe off Little Egg-Harbour in New-Jersey, and in passing up the Delaware, the news of the arrival of the proprietary, soon spread though the country : all classes of people, English, Dutch, and Swedes, of all ages and sexes, hailed the proprietary as he passed, with acclamations of joy, and on the 24th of October, he landed at New-Castle, where he was cordially received, and where the next day he met the people at the court-house, and explained the designs of his visit in an affectionate address, assuring them of the free enjoyments of their spiritual and temporal rights, liberty of conscience and civil freedoms ; he recommended to them temperance, sobriety and peace.*

On the 4th day of December, William Penn called together a deputation of the freemen from the whole colony, to meet at Chester, in General Assembly, to promote the best interest of the province. Nicholas Moore was chosen speaker, who was president of the society of

* The nations who dwelt here, were English, Dutch, and Swedes ; these each, had their different prejudices, as well as modes of religious worship, amongst which these Quakers were about to mix.

free traders. The buisness of the assembly was interesting and agreeable to all parties, the deportment of the proprietary, was courteous and dignified, and was closed by an address from the Swedes, in which they expressed their highest satisfaction, and assured him, "that they would love, and serve, and obey him with all they had; declaring that it was the best day they ever saw."

This assembly passed an act of union, by which the three lower counties were annexed to the province, with some general amendments to the frame of government, and by an act of settlement, the whole was approved and ratified. The Dutch, Swedes, &c. were all naturalized, and the laws agreed upon in England, were passed in due form. The whole business of the colony was closed in three days. [*See the preamble together with the body of laws for Pennsylvania passed at this assembly, in Appendix G.*] Whilst this assembly was making preparation to meet, the proprietary visited New-York, and as soon as the session was ended he visited Maryland, where he received the respectful attention of Lord Baltimore, and the first characters of the colony. The object of this visit was to prepare the way for the settlement of the boundary lines between the two colonies. The subject was introduced; but on account of the season, deferred until spring, and the proprietary returned to Chester, and commenced the purchase of the land belonging to the natives, where he proposed to build his capital, Philadelphia, *the seat of brotherly love*. William Penn not only paid the Indians a valuable consideration for such lands as he obtained, but he accompanied his purchases with such salutary and wholesome counsel and advice, as proved useful to the natives and endeared him strongly to their affections, and attached them firmly to his interest.

In New-England we have witnessed the time (first vol.) when it was judged necessary to hang Quakers, lest

by their pacific principles they should endanger the safety of the colonies; but William Penn rendered this very pacific principle, when supported by the principles of equity and justice, the very palladium of his colony. The peace that William Penn concluded with the Indians in 1682, lasted more than seventy years, and rendered a Quaker the idol of their affections, until the government was so far shared by other religious sects, as to render it impossible for the Quakers to continue to maintain these principles of strict justice; then the scene changed, and Pennsylvania had her Indian wars, as well as the other colonies. But the affection with which they ever held in grateful remembrance their friend and benefactor William Penn, lived through his life, and lives to this day in the hearts of their descendants. In proof of this, a chief of the Five Nations, at a council held at Conistoga in Pennsylvania, by Governor Keith, thus expressed himself—"We shall never forget the counsel that William Penn gave us, and though we cannot write, as the English do, we can keep in memory what is said in our councils." 1721. The speaker proceeded to compliment Governor Keith by saying, "We love you even as if you were William Penn himself," adding "brother *Onas*, (which in their language signifies a pen, and by which they call all the governors of Pennsylvania,) we love to hear the former treaties made with William Penn repeated to us again."

Thus after brightening the chain of friendship, by which the illustrious Penn had bound them to his colony, the council was dissolved with mutual assurances of a desire that the chain might continue to grow bright, as the sun shining in his lustre, without a cloud, so long as sun and moon should endure.

Thus we see, that even the heart of the savage may be softened into the most grateful remembrance of kindness and benevolence, and that religion, when supported upon

the true principles of the gospel, may call forth the strongest acts as well as expressions of justice, friendship, and peace. I shall not attempt to enquire whether that system of treatment, by which William Penn soothed the savage into peace in Pennsylvania, could have softened the ferocity of the savages of the north and east, and could have blunted the edge of that hatchet the French were continually whetting with a spirit of war and revenge. Facts are the subject of this narrative, reflections and opinions are left open and free for every reader ; let them be free, but tempered with candour.

In less than one year after the proprietary came into the province, about thirty ships arrived, with passengers to settle the colony ; these were generally Quakers, whose first concern was, like the Puritans of New-England to plant churches, and make provision for the enjoyment of their religion. Many of these people were rich, and they were generally, sober industrious people, of competent livings, and in good repute. These people came out with cool deliberation, determined to subdue the country by their industry, and enjoy the fruits of their labour. They were provident, and cautious at their removal, generally laying in stores for support, until they could realise the fruits of their labours ; hence the reason why they were so healthy, as well as comfortable in their settlements. In two years from this time more than fifty sail of shipping arrived from different parts of England, Holland, and Germany, with settlers for the new colony. At this time a colony of Palatines, from Germany, came over and settled Germantown, about six or seven miles from Philadelphia ; these were German Quakers, who had become converts to the preaching of William Ames, an Englishman. This little colony fled to these abodes of peace, and were thus providentially preserved from the judgments which soon after befel their country, upon an invasion of the French, who

laid waste the Palatinate with fire and sword, and reduced the wretched inhabitants, to famine, distress, and ruin. (*Wars of Lewis XIV. with the empire.*)

The increase of population arising from these multiplied emigrations filled the colony so fast, upon the banks of the Delaware, Schuylkill, and in that vicinity, that many old people, as well as others, felt the want of bread, yet they did not suffer ; such were their habits of industry and economy, and such were the means of support arising from fish, wild game, &c. that they were preserved from those distresses which we have witnessed in New-England, and in the colonies of the south. By this rapid influx of settlers, the lands near the great River Delaware, were soon cleared, so far as to begin to become productive ; but the country back from the river was a pathless desert, without even one trace of the footsteps of man ; and yet even here the settlers penetrated, explored the country, located their lands, purchased the soil of the Indians, built log huts, planted their families, and made war ; not with the natives ; but with the forest ; here the sturdy strokes of the woodman, made the wilderness ring with the repeated strokes of his axe ; the crash of the falling trees, made the distant hills reverberate the sound. Born in affluence, and educated in habits of elegance and ease, as many of these adventurers had been in England ; these were to them new and untried, or even un contemplated scenes, yet such was their confidence in their leader, such the climate and the soil, and such those bonds of friendship, and social religion, that they persevered with patience and fortitude, overcame the common enemy, the tall oaks of the forest, cleared their lands, cultivated their farms, enjoyed their religion, and through this *peace*, uninterrupted peace with the natives, and thus planted a colony, that shines with conspicuous lustre amongst the bright constel-

lations of America. Although the proprietary enjoyed his own seat, near the great falls of Trenton; yet he consulted the best interest of the colony, in not laying the foundations of his city *of brotherly love*, near to or about his own residence, but purchased of the Swedes that neck of land lying between the Schuylkill and Delaware, as being better adapted for the scite of his capital city, and therefore most for the interest of the colony.

In 1682, he caused the city to be surveyed into lots, and at the same time many small huts or houses were built, and thus the metropolis of Pennsylvania, from an assemblage of log huts, grew up upon the plan of the ancient city of Babylon, and has now become one of the first commercial cities in the United States of America.*

The province was now divided by the proprietary into three counties, viz. the counties of Bucks, Philadelphia, and Chester; these with the counties of New-Castle, Kent, and Sussex, mentioned before, made up six counties, for which the proprietary appointed sheriffs and other officers, and then issued writs of election to call a General Assembly, agreeable to the constitution at that time. The council was convened on the first month of 1683, at Philadelphia, and the assembly two days after, and the proprietor presided in council. And Thomas Wynne was chosen speaker. The council and assembly consisted of twelve out of each county, eighteen of which were of the council, and fifty-four of the assembly.

This number did not meet the demands of the charter; but as the population was so thin, the people thought it sufficient, and requested the acceptance of the governor, and he complied; and assured them of his readiness to meet their wishes in such alterations as might

* The plot is level, and the streets are laid out at right angles, between the two rivers, after the manner of ancient Babylon.

be found best for the public good. On the 20th of the same month, the governor and council received the speaker and two members of assembly, when he submitted to them this question—Whether they chose to have the old charter or a new one? they unanimously replied, a new one, with such amendments as had already been debated, and agreed upon; to which the governor consented, in a speech to both houses; and the assembly expressed their grateful acknowledgments to the governor for his condescension and goodness. A new charter was accordingly drawn up by a special committee, appointed for the purpose, and on the 30th of the same month, the charter was prepared, read, accepted, signed, sealed and delivered by the governor, to three members of assembly, who returned the old one, with the thanks of the house to his excellency. This charter continued until 1696, when it was again renewed, and continued until the great charter of privileges in 1701.

The governor and council appointed the sheriffs, and established a seal for each county, and the assembly was closed, after a session of twenty days.

In the third month of this year, certain persons were arrested and tried for passing counterfeit money, which was the occasion of calling the first jury. The persons indicted were found guilty, and sentenced as follows, viz. John Pickering, who was principal, for coining and stamping counterfeit silver money, to make full satisfaction for this high crime and misdemeanor, in good current money, to every person who should, within the space of one month, bring in any of this base, false, counterfeit money, (agreeable to proclamation then issued,) according to their respective proportions, and that the money brought in should be melted down before it was returned to him; and that he should pay forty pounds towards the building of a court-

house; stand committed until the same was paid, and afterwards find security for his good behaviour.

The next object of importance that interested the attention of the governor, was his favourite city, a short description of which may not be uninteresting in this place.

PHILADELPHIA.

This city is situated on the 40th degree of north latitude, and about 75 degrees of west longitude from London, on the west side of the river Delaware, which is about one mile broad, at the distance of about one hundred twenty miles from the sea, along the course of the river and bay. The river Schuylkill, which is a branch of the Delaware, and here runs nearly parallel to the Delaware, at the distance of about two miles to the westward, is broad and deep enough for large ships at this place; but their passage is obstructed by a sand bar at its mouth, where it enters the Delaware, about four miles below the city. It is also obstructed by falls about five miles above the city, at the head of tide waters. No boats can ascend this fall; but in times of freshet they often descend, loaded with articles from the country above. The tides at Philadelphia generally rise about six feet, and flow up to Trenton falls, twenty-six miles above the city, where large ships often go. Philadelphia extends from the Delaware to the Schuylkill, two miles, and upon each river between one and two miles. Nine streets extend from river to river, these are intersected by twenty-three others, at right angles, and running parallel to each other north and south. Their breadth is from fifty to one hundred feet. Five squares within the city were assigned by the governor for the public use of the city, the largest square in the centre of the city contains ten acres, and the others eight. [*For a more minute view of the plan of this city, see Appendix marked 1.*]

Having thus given a sketch of the outlines of the city of Philadelphia, I will next give William Penn's description of the province at full length.

“ For the province, the general description of it take as follows :

“ I. The country itself, its soil, air, water, seasons, produce, both natural and artificial, are not to be despised. The land containeth divers sorts of earths, as sands, yellow and black, poor and rich ; also gravel, both loamy and dusty ; and in some places a fast fat earth, like our best vales in England ; especially by inland brooks, and rivers ; God in his wisdom having ordered it so, that the advantages of the country are divided, the back lands being generally three to one richer than those that lie by navigable rivers ; we have much of another soil, and that is of a black hazel mould, upon a stoney or rocky bottom.

“ II. The air is sweet and clear, the heavens serene, like the south part of France, rarely overcast : and as the woods come, by numbers of people, to be more cleared, that itself will refine.

“ III. The waters are generally good ; for the rivers and brooks have mostly gravelly and stoney bottoms, and in number hardly credible. We have also mineral waters, that operate in the same manner with Barnet and Hall, not two miles distant from Philadelphia.

“ IV. For the season of the year, having now by God's goodness lived over the coldest and hottest, that the oldest liver in the province can now remember, I can say something to an English understanding.

First of the fall, for then I came in ; I found it from the 24th of October to the beginning of December, much as we have it England in September, or rather like an English mild spring. From December to the beginning of the month called March, we had sharp frosty weather ; not

foul, thick, and black weather, as our north-east winds bring with them in England ; but a sky as clear as in summer, and the air dry, cold, piercing, and hungry ; yet I remember not that I wore more clothes than in England. The winter before was as mild ; scarce any ice at all ; while this for a few days froze up our great river Delaware. From that month to the month called June, we had a sweet spring ; no gusts, but gentle showers, and a fine sky. Yet this I observe, that the winds are more inconstant, spring and fall, upon the turn of nature, than in summer or winter. From thence to this month, (August) which ends the summer, we have extraordinary heats ; yet mitigated sometimes by cool breezes. The wind that ruleth the summer season is the south-west ; but winter, spring, and fall, it is rare to want the north-west seven days together. Whatever mists, fogs, or vapours, foul the heavens, by easterly, or southerly weather, in two hours time are blown away ; the one is followed by the other. A remedy that seems to have a peculiar providence in it to the inhabitants ; the multitude of trees yet standing, being liable to retain mists and vapours, and yet not one quarter so thick as I expected.

“ V. The natural produce of the country are vegetables, trees, plants, fruits, flowers. The trees of most note are the black walnut, cedar, cypress, chesnut, poplar, gumwood, hickory, sassafras, ash, birch, oak of divers sorts, as red, white, yellow, black, Spanish, chesnut, and swamp, the most durable of all. All these abound in great plenty.

“ The fruits that I find in the woods, are the white and black mulberry, chesnut, walnut, plumbs, strawberries, cranberries, hurtleberries, and grapes of divers sorts. The great red grape, now ripe, (called by ignorance the fox grape,) because of the relish it hath with unskilful palates, is in itself an extraordinary grape, and by art doubtless may be cultivated to an excellent wine ; if not so

sweet, yet little inferior to the Frontinac, as it is not much unlike in taste, ruddiness set aside, which in some things, as well as mankind, differs the case much. There is a white kind of muskadel, and a little black grape, like the cluster grape in England, not yet so ripe as the others, but they tell me that they are sweeter, when ripe, and that they only want good vintagers to make good wine of them. I intend to venture on it this season with my Frenchman, who shews some knowledge in these things. Here are also peaches, very good, and in great quantities ; not an Indian plantation is without them ; but whether naturally here at first I cannot tell. However, one may have them by bushels for very little ; they make a pleasant drink, and I think are not inferior to any peach you have in England, except the *Newington*. It is disputable with me whether it be best to fall to fining the fruits of the country, especially the grape, by the care and skill of art, or send for foreign stems, already good and approved. It seems most reasonable to suppose, that a thing groweth best where it most naturally grows, and will hardly be equalled by another species of the same kind that doth not naturally grow there. But by God's leave I intend to try both, and hope the result will be as good wine as any of the European countries of the same latitude can yield.

“ VI. The artificial produce of the country, is wheat, barley, oats, rye, pease, beans, squashes, pumpkins, water-mellons, musk-mellons, and all herbs, and roots, that our gardens in England generally produce.

“ VII. Of living creatures ; fish, fowls, and the beasts of the woods, here are divers sorts, some for food, some for profit only ; for food as well as profit, the elk, as big as a small ox ; deer, bigger than ours ; beaver, raccoon, rabbits, squirrels ; and some eat young bear, and commend it. Of fowl of the land, there is the turkey, (forty and fifty pounds weight,) which is very great ; pheasants,

heath-birds, pigeons, and partridges, in great abundance. Of the water, the swan, the goose, white and grey ; brands, ducks, teal, also the snipe, and curloe, and that in great numbers ; but the duck and teal excel ; not so good have I ever eat in other countries. Of fish, there is the sturgeon, herring, rock, shad, cat's-head, sheep's-head, eel, smelt, perch, roach ; and in inland rivers, the trout, some say salmon, above the falls. Of shell-fish, we have oysters, crabs, cockles, conchs, and muscles ; some oysters six inches long, and one sort of cockles, as big as the stewing oysters ; they make a rich broth. The creatures for profit only, by skin and fur, that are natural to these parts, are the wild-cat, panther, otter, wolf, fox, fisher, mink, muskrat ; and of the water, the whale, for oil, of which we have a good store ; and two companies of whalers, whose boats are built, will soon begin their work, which hath the appearance of a considerable improvement ; to say nothing of our reasonable hopes of good cod, in the Bay.

“ VIII. We have no want of horses ; and some are very good, and shapely enough ; two ships have been freighted to Barbadoes with horses and pipe-staves since my coming in ; here is also a plenty of cow-cattle, and some sheep ; the people plough mostly with oxen.

“ IX. There are divers plants, which, not only the Indians tell us, but we have had occasion to prove, by swellings, burns, cuts, &c. that they are of great virtue, suddenly curing the patient ; and for smell, I have observed several, especially one, the wild murtle ; the other I know not what to call ; but are most fragrant.

“ X. The woods are adorned with lovely flowers, for colour, greatness, figure, and variety. I have seen the gardens in England best stored with that sort of beauty ; but think they may be improved by our woods ; I have sent a few to a person of quality this year, for trial.

“ Thus much of the country ; next of the aborigines, or natives.

“ XI. The natives I shall consider in their persons, language, manners, religion, and government, with my sense of their origin.

For their persons, they are generally tall, straight, well-built, and of singular proportion ; they tread strong and clever, and mostly walk with a lofty chin. Of complexion black ; but by design ; as the gypsies in England ; they grease themselves with bear’s fat, clarified ; and using no defence against sun, or weather, their complexions must be swarthy ; their eye is little and black, not unlike a straight-looking *Jew*. The thick lip, and flat nose, so common with the East-Indians, and blacks, are not common to them. For I have seen as comely European-like faces amongst them both, as on your side of the sea ; and truly, an Italian complexion hath not much more of the white ; and the noses of several of them have as much of the *Roman*.

“ XII. Their language is lofty, yet narrow ; but like the Hebrew in signification, full ; like short hand in writing, one word serveth in the place of three, and the rest are supplied by the understanding of the hearer ; imperfect in their tenses ; wanting in their moods, participles, adverbs, conjunctions, and interjections. I have made it my business to understand it that I need not want an interpreter, and I must say, that I know not a language spoken in Europe, that hath words of more sweetness, or greatness, in accent and emphasis, than theirs : for instance, Octocokon, Rancocas, Oricton, Shak, Marian, Poquesien ; all which are names of places, and have grandeur in them. Of words of sweetness, *Anna* is mother ; *Issimus*, is brother ; *Netcap*, friend ; *Usqueozet*, very good, &c. *Matta* is no ; *Hatta*, have ; but if you ask them for any thing they have not they will answer *Matta ne Hatta*, that is, *no I have*, instead of *I have not*.

“ XIII. Of their customs and manners, there is much to be said. I will begin with children; as soon as they are born, they wash them with water, and while very young, in cold water to choose, they plunge them in the rivers to harden and embolden them. Having wrapped them in a clout, they lay them on a straight thin board, a little more than the length and breadth of the child, and swaddle it fast upon the board, to make it straight; wherefore all Indians have flat heads; and thus they carry them upon their backs. The children will go very young, at nine months old, commonly; they wear only a small clout round their waist, until they are big: if boys, they go a fishing until ripe for the woods; which is generally about fifteen; then they hunt; and after having given some proof of their manhood, by a good return of skins, then they marry; else it is a shame to think of a wife. The girls stay with their mothers and help to hoe the ground, plant corn, and carry burthens; and they do well to use them to that, when they are young, which they must do when they are old; for the wives are the true servants of their husbands; otherwise the men are very affectionate to them.

“ XIV. When the young women are fit for marriage, they wear something upon their heads; but so as their faces are hardly to be seen, but when they please; the age they marry at, of women is thirteen or fourteen; of men, seventeen and eighteen; they are rarely older.

“ XV. Their houses are mats, or barks of trees, set on poles in fashion of an *English* barn, but out of the power of the winds; for they are hardly higher than a man; they lie on reeds or grass. In travel they lodge in the woods, about a great fire, with the mantle of duffils they wear by day, wrapped about them, and a few boughs stuck round them.

“ XVI. Their diet is maize or Indian corn, divers ways prepared ; sometimes roasted in the ashes ; sometimes beaten and boiled in water, which they call *hommie* ; they also make cakes not unpleasant to eat. They have likewise several sorts of beans and peas, that are good and nourishing ; and the woods and rivers are their *larder*.

“ XVII. If an European comes to see them, or calls at their wigwam for lodging, they give him the best they have, and the first cut. If they come to see us, they salute us with an *Itah*, which is as much as to say *good be with you*, and set them down ; which is mostly on the ground, close to their heels with their legs upright. It may be they speak not a word ; but observe all that passes. If you give them any thing to eat or drink, well ; and if not, they never will ask for it ; and be it little or much, if it be with kindness, they are well pleased, else they go away sullen, but say nothing.

“ XVIII. They are great concealers of their own resentments ; brought to it I believe by the revenge that is practised amongst them. In either of these, they are not exceeded by the *Italians*. A tragical instance happened since I have been among them : a king's daughter thinking herself slighted by her husband, in suffering another woman to lie down between them, rose up, went out, plucked a root out of the ground, and ate it ; upon which she immediately died ; and for which, last week he made an *offering* to her kindred, for atonement, and had leave of marriage, as two others did to the kindred of their wives that died natural deaths ; for until widowers have done so, they must not marry again.

“ XIX. In liberality they excel ; nothing is too good for their friend ; give them a fine gun, coat, or other thing ; it may pass twenty hands before it sticks : light of heart, strong affections, but soon spent. The most merry creatures that live ; feast, and dance, perpetually ; they never

have much, nor want much ; wealth circulates like the blood ; all parts partake ; and though none shall want what another hath, yet exact observers of property. Some kings have sold, others presented me with a parcel of land ; the presents I made them were not hoarded by the particular owners ; but the neighbouring kings and their clans being present when the goods were brought out, the parties chiefly concerned, consulted what, and to whom they should give them. To every king then, by a person to that work appointed, is a portion sent, so sorted and folded, and with that gravity that is admirable. Then the king subdivides the present among his dependents, and they again in their turn, and they hardly leave themselves an equal share with one of their subjects ; so upon such occasions as festivals, the king distributes to himself last. They care for but little, because they want but little ; and the reason is, a little contents them. In this they are frequently revenged on us ; if they are ignorant of our pleasures, they are also free from our pains. We sweat and toil to live ; their pleasure feeds them ; I mean their hunting, fishing, and fowling, and this table is spread every where. They eat twice a day, morning and evening ; their seats and table are the ground. Since the Europeans came into these parts, they are grown great lovers of *strong liquors*, rum especially, and for it exchange the richest of their skins and furs. If they are heated with liquor they are restless till they have enough to sleep ; that is their cry, *some more, and I will go to sleep* : but when drunk, one of the most wretched spectacles in the world.

“ XX. In sickness, impatient to be cured ; and for it give any thing, especially for their children ; to whom they are extremely natural. They drink at those times a *teran*, or decoction of some roots, and spring water, and if they eat any flesh, it must be of the female of some creature. If they die, they bury them in their apparel, be they man

or woman, and the nearest of kin fling in something precious with them, as a token of their love. Their mourning is blacking their faces, which they do for a year. They are choice of the graves of their dead, for lest they should be lost by time, and fall to common use, they pick off the grass that grows upon them, and heap up the fallen earth with great exactness.

“XXI. These poor people are under a dark night in things relating to religion, to be sure the tradition of it; yet they believe a *God and immortality*, without the help of metaphysics; for they say, “There is a great king that made them, that dwells in a glorious country to the southward of them, and that the souls of the good shall go thither where they shall live again.” Their worship consists of two parts, sacrifice and cantico. Their sacrifice is of the first fruits; the first, and fattest buck they kill, goeth to the fire, where he is all burnt, with a mournful ditty of him that performeth the ceremony; but with such marvellous fervency, and labour of body, that he will even sweat to foam. The other part is their cantico, performed by round dances, sometimes by words, sometimes songs, then shouts; two being in the middle that begin, and by singing, and drumming on a board, direct the chorus. Their postures in the dance are very antic, and differing; but all keep measure. This is done with equal earnestness and labour; but great appearance of joy. In the fall when the corn cometh in, they begin to feast one another. There have been two great festivals already, to which all come that will. I was at one myself, their entertainment was a great seat by a spring, under some shady trees, and twenty bucks, with hot cakes of new corn, which they make up in a square form, in the leaves of the stem, and bake them in the ashes; and after that they begin to dance. But they that go must carry a small present in their money; it may be sixpence, made of the bone of a fish; the red with them is gold, the white silver; they call it wampum.

“ XXII. Their government is by kings which they call Sachama, and those by succession; but always by the mother’s side. For instance, the children of him that is now king will not succeed by his brother; but by his mother, or the children of his sister, whose sons (and after them the children of her daughters) will reign, for no woman inherits. The reason they render for this is that their issue may not be spurious.

“ XXIII. Every king hath his council, and that consists of the old, and wise men of his nation, which perhaps is two hundred people. Nothing of moment is undertaken, of war or peace, selling of land, or traffic, without advising with them; and which is more, with the young men too. It is admirable to consider how powerful the kings are, and yet how they move by the breath of their people. I have had occasion to be in council with them upon treaties for land, and to adjust the terms for their trade. Their order is this, the king sits in the middle of a half moon, and hath his council, the old and wise, on each hand; behind them, or at a little distance, in the same order, sit the younger fry. Having consulted and resolved their business, the king ordered one of them to speak to me; he stood up and came to me, and in the name of the king, saluted me; then took me by the hand, and told me, “he was ordered by the king to speak to me, and that now it was not he, but the king that spoke, because what he should say was the king’s mind.” He first prayed me “to excuse them that they had not complied with me the last time; he feared there might be some fault in the interpreter, being neither *Indian* nor *English*; besides it was the Indian custom to deliberate and take up much time in council, before they resolve; and that if the young people, and owners of the land had been as ready as he, I had not met with so much delay.” Having

thus introduced his matter, he fell to the bounds of the lands they had agreed to dispose of, and the price, which now is little, and dear; that which would have bought twenty miles, not now buying two. During the time that this person spoke, not one of them was observed to whisper, or smile; the old, grave; the young, reverent in their deportment. They spake little, but fervently, and with elegance. I have never seen more natural sagacity, considering them without the help (I was going to say spoil) of tradition; and he will deserve the name of wise that outwits them, in any treaty, about a thing they understand. When the purchase was agreed, great promises passed between us, “of kindness and good neighbourhood; and that the Indians and English must live in love, as long as the sun shall give her light.” Which done, another made a speech to the Indians, in the name of the sachems or kings; first telling them what was done, and the next charging them to “love and live in peace with the christians, particularly with me, and the people under my government; that many governors had been in the river; but that none had come here to live and stay here before, and having now such an one, that had treated them well, they should never do him or his any wrong.” At every sentence, they shouted, and said in their way, *amen*.

“XXIV. The justice they have is pecuniary; in case of any wrong, or evil act, be it murder itself, they atone by feasts, and presents of their *wampum*; which is proportioned to the magnitude of the offence, or person injured, or the sex they are of; for in case they kill a woman they pay double, and the reason they render is, “that she brings the children, which the men cannot do.” It is rare that they fall out, if sober; and if drunk they forgive it, saying, “it was the drink that abused you not the man.”

“XXV. We have agreed that in all cases of differences between us, six upon each side shall end the matter. Do not abuse them; but let them have justice, and you win them. The worst is, that they are the worse for the *christians*, who have propagated their vices among them, and yielded them tradition for ill, and not for good things. But as low an ebb as these people are at, and as inglorious as their own condition looks, the *christians* have not outlived their right, with all their pretensions to a higher manifestation. What good then might a good people graft where there is so distinct a knowledge between good and evil. I beseech God to incline the hearts of all that come into these parts, to outlive the knowledge of the natives, by a fixt obedience to the great knowledge of the will of God: for it were miserable indeed to fall under the just censure of the poor Indian's conscience, while we make profession of things so transcending.

“XXVI. For their original I am ready to believe them of the Jewish race, I mean of the stock of the ten tribes, and that for the following reasons; First, they were to go to a land not planted nor known, which to be sure *Asia*, and *Africa* were, and even *Europe*, and he that intended that extraordinary judgment upon them, might make the passage not uneasy to them, as it is not impossible in itself from the easternmost parts of *Asia*, to the westernmost of *America*. In the next place I find them of the like countenance, and their children of so lively a resemblance that a man would think himself in Duke's-place, or Berry-street, London, where he seeth them. But this is not all, they agree in rites, they reckon by moons, they offer their first fruits, they have a kind of feast of tabernacles, they are said to lay their altar upon twelve stones, their mourning a year, customs of women, with many other things that do not now occur.

“ So much for the natives ; next the old planters will be considered in this relation before I come to our colony, and the concerns of it.

“ XXVII. The planters in these parts were first the Dutch, next the Swedes and Fins. The Dutch applied themselves to traffick ; the Swedes and Fins to husbandry. There were some disputes between them for some years ; the Dutch looking upon them as intruders upon their purchase and possession ; which was finally ended in the surrender made by John Rizeing, the Swedish governor, to Peter Stuyvesant governor for the states of Holland, 1655.

“ XXVIII. The Dutch inhabit mostly those parts of the province, that lie upon or near the bay ; and the Swedes the freshes of the River Delaware. They kindly received me, as well as the English, who were few, before the people concerned with me, came among them. I must needs commend their respect to authority, and kind behaviour to the English ; they do not degenerate from the old friendship, between both kingdoms. As they are a people proper, and strong of body, so they have fine children, and almost every house full ; rare to find one, without three or four boys, and as many girls ; some have six or eight sons, and I must do them that right ; I see few young men more sober, and industrious.

“ XXIX. The Dutch have a meeting place, for religious worship, at *New-Castle* ; and the Swedes three ; one at Christina, one at Tenecum, and one at Wicoco.

“ XXX. These sects that I speak of, the condition we are in, and what settlement we have made ; in which I will be as short as possible ; for I fear, and that not without reason, that I have tried your patience with this long story. The country lieth bounded on the east, by the River and Bay of Delaware, and Eastern Sea : it hath the advantage of many creeks and rivers, that run into the

main river, or bay ; some navigable for great ships, some for small craft. Those most eminent are Christina, Brandywine, Skilpot, and Schuylkill, any one of which have room to lay up the royal navy of England : there being from four to eight fathom of water.

“ XXXI. The lesser rivers, or creeks, yet convenient for sloops, and ketches of good burthen, are Lewis, Mespilion, Cedar, Dover, Cranbrook, Feversham, and Georges ; below, Chichester, Chester, &c. in the freshes ; many lesser that admit boats and shallops. Our people mostly settled upon the upper rivers, which are pleasant and sweet, and generally bounded with good land. The planted part of the province, and territories is cast into six counties, containing about four thousand souls. Two General Assemblies have been held, and with such concord and dispatch, that they sat but three weeks ; and at least seventy laws were passed, without one dissent, in any material thing. But of this more hereafter, being as yet raw in our geer. I cannot forget their singular respect to me, in this infancy of things ; who by their own private expences so early considered mine, for the public, as to present me with an impost, upon certain goods imported, and exported ; which after my acknowledgment of their affection, I did as freely remit to the province, and the traders to it. Courts of justice are regularly established, for the well government of each county, with proper officers, as sheriffs, justices, &c. which are held monthly. To prevent law suits, there are three peace-makers, chosen by each County Court, in the nature of common arbitrations, to hear and end all differences betwixt man and man. And spring and fall, there is an Orphan’s Court, to hear and determine the affairs of all orphans and widows, in each county.

“ XXXII. Here follows a description of Philadelphia, which I shall omit, because I have already given a general

description of that city ; but shall pursue this interesting letter in its general detail. “ Philadelphia has advanced in less than a year to about fourscore houses and cottages, such as they are ; where merchants, and handicrafts are following their vocations as fast as they can, (1683) whilst the country people are close at their farms ; some of them got a little winter corn into the ground the last season ; and they generally have had handsome summer crops, and are preparing for their winter corn. They reaped their barley this year, in the month called May ; the wheat in the month following, so that there is time in these parts for divers things, before winter sets in. We are daily in hopes of shipping, to add to our number ; for blessed be God, here is both room and accommodation for them. The stories of our necessities, being either the fears of our friends, or the scare-crows of our enemies ; for the greatest hardship we have suffered, hath been salt meat ; which by fowl in winter, and fish in summer, together with some poultry, lamb, mutton, veal, and plenty of venison, the best part of the year, hath been made very passable. I bless God I am fully satisfied with the country, and the entertainment I got in it. For I find that particular content, which hath attended me wherever God in his providence hath made it my place and service to reside. As it is the duty of some men to plow, others to sow, and reap, so it is the wisdom as well as the duty of all to yield to the mind of Providence, and cheerfully as well as carefully follow its guidance,” &c.

Although this interesting letter is long, yet I have inserted it at full length, being full of useful, and profitable matter, as well as peculiarly descriptive of the rise and progress of the colony, and its relative connections with the savages ; the character of that people, and the pleasant intercourse arising from the happy mode of management adopted by William Penn.

In my remarks in volume I. upon the persecutions in Massachusetts against the Quakers, I was led to observe, the necessity of the measure, upon the principles of self preservation ; for men that would not resist a savage enemy, must expect to perish by his vindictive revenge ; but William Penn, has wrested from me my argument, by shewing practically, that it was easier to manage a savage, and keep him peaceable, just, and friendly, by treating him with peace, justice, and friendship ; than it was to wrong him as an enemy, and then compel him by force of arms to suppress his spirit of revenge, and tamely submit, under the malignant disguise of friendship. The first rendered him familiar, pleasant, and profitable in his intercourse ; the latter, malignant, reserved, and dangerous : for we have seen that the most bloody massacres commence, in times of the greatest peace and security.

CHAPTER X.

MR. JEFFERSON'S REMARKS UPON THE ABORIGINES OF AMERICA, CONTINUED FROM CHAPTER VII.

A KNOWLEDGE of the languages of the aborigines of America, would be the most certain evidence of their derivation which could be produced. In fact, it is the best proof of the affinity of nations which ever can be referred to. How many ages have elapsed since the English, the Dutch, the Germans, the Swiss, the Norwegians, Danes, and Swedes, have separated from their common stock? Yet how many more must elapse before the proofs of their common origin, which exist in their several languages, will disappear? It is to be lamented then, very much to be lamented, that we have suffered so many of the Indian tribes already to extinguish, without our having previously collected and deposited in the records of literature, the general rudiments at least of the languages they spoke. Were vocabularies formed of all the languages spoken in North and South-America, preserving their appellations of the most common objects in nature, of those which must be present to every nation, barbarous or civilized, with the inflections of their nouns and verbs, their principles of regimen and concord, and these deposited in all the public libraries, it would furnish opportunities to those skilled in the languages of the old world to compare with these, now, or at any future time, and hence to construct the best evidence of the derivation of this part of the human race.

But imperfect as is our knowledge of the tongues spoken in America, it suffices to discover the following remarkable fact. Arranging them under the radical ones to which they may be palpably traced, and doing the same by those of the red men of Asia, there will be found probably twenty

in America, for one in Asia, of those radical languages, so called, because if they were ever the same, they have lost all resemblance to one another. A separation into dialects may be the work of a few ages only, but for two dialects to recede from one another, till they have lost all vestiges of their common origin, must require an immense course of time ; perhaps not less than many people give to the age of the earth. A greater number of those radical changes of language having taken place among the red men of America, proves them of greater antiquity than those of Asia.*

“ I will now proceed to state the nations and numbers of the aborigines which still exist in a respectable and independent form. And as their undefined boundaries would render it difficult to specify those only which may be within any certain limits, and it may not be unacceptable to present a more general view of them, I will reduce within the form of a catalogue all those within, and circumjacent to, the United States, whose names and numbers have come to my notice. These are taken from four different lists, the first of which was given in the year 1759, to Gen. Stanwix, by George Croghan, deputy agent for Indian affairs under Sir William Johnson ; the second was drawn up by a French trader of considerable note, resident among the Indians many years, and annexed to Col. Bouquet's printed account of his expedition in 1764. The third was made out by Captain Hutchins, who visited most of the tribes, by order, for the purpose of learning their numbers in 1768. And the fourth by John Dodge, an Indian trader, in 1779, except the numbers marked*, which are from other information.”

* This might look a little like modern philosophy, if the subject taken collectively did not shew that its illustrious author was dealing in problematics ;—but if it was all matter of fact, it would prove as much as Bridgton's numerous strata of lava, and no more.

	TRIBES.	Croghan. 1759.	Bouquet. 1764.	Hutchins. 1768.	Where they reside.
Northward and Westward of the United States.	Oswegatchies	—	—	100	{ At Swagatchy, on the river St. Laurence.
	Connasedagoes	—	—	300	Near Montreal.
	Cohunnewagoes	—	200		
	Orondocs	—	—	100	Near Trois Rivières.
	Abenakies	—	350	150	Near Trois Rivières.
	Little Algonkins	—	—	100	Near Trois Rivières.
	Michmacks	—	700	—	River St. Laurence.
	Amelistes	—	550	—	River St. Laurence.
	Chalas	—	130	—	River St. Laurence.
	Nipissins	—	400	—	{ Towards the heads of the Ottawas river.
	Algonquins	—	300	—	{ Towards the heads of the Ottawas river.
	Round Heads	—	2500	—	{ Riviere aux Tetes boules on the East side of Lake Superior.
	Messasagues	—	2000	—	Lakes Huron and Superior.
	Christinaux. Kris.	—	3000	—	Lake Christinaux.
	Assinaboes	—	1500	—	Lake Assinaboes.
	Blancs, or Barbus	—	1500	—	
	Sioux of the Meadows	10,000	2500	—	{ On the heads of the Mississippi and westward of that river.
	Sioux of the Woods		1800	10,000	
	Sioux		—		

Northward and westward of the United States.	TRIBES.	Croghan. 1759.	Bouquet. 1764.	Hutchins. 1768.	Where they reside.	
	TRIBES.	Croghan. 1759.	Bouquet. 1764.	Hutchins. 1768.	Where they reside.	
Within the limits of the United States.	Ajoues	—	1100	—	North of the Padoucas.	
	Panis. White	—	2000	—	South of the Missouri.	
	Panis. Freckled	—	1700	—	South of the Missouri.	
	Padoucas	—	500	—	South of the Missouri.	
	Grandes eaux	—	1000	—		
	Canses	—	1600	—	South of the Missouri.	
	Osages	—	600	—	South of the Missouri.	
	Missouris	400	3000	—	On the river Missouri.	
	Arkansas	—	2000	—	On the river Arkansas.	
	Caouitas	—	700	—	East of the Alibamous.	
	TRIBES.	Croghan. 1759.	Bouquet. 1764.	Hutchins. 1768.	Dodge. 1779.	Where they reside.
	TRIBES.	Croghan. 1759.	Bouquet. 1764.	Hutchins. 1768.	Dodge. 1779.	Where they reside.
	Mohocs	—	—	160	100	Mohocs river. [quehanna.
	Onèidas	—	—	300	400	E. side of Oneida L. and head branches of Sus-
	Tuscaròras	—	—	200		Between the Oneidas and Onondagoes.
	Onondàgoes	—	1550	260	230	Near Onondago L. [hanna.
	Cayùgas	—	—	200	220	On the Cayuga L. near the N. branch of Susque-
	Sènecas	—	—	1000	650	{ On the waters of the Susquehanna, of Ontario,
	Aughquàgahs	—	—	150	—	{ and the heads of the Ohio. { East branch of Susquehanna, and on Aughqua- gah.

	TRIBES.	Croghan 1759.	Bouquet. 1764.	Hutchins. 1768.	Dodge. 1779.	Where they reside.
Within the limits of the United States.	Nanticocs.	—	—	100	—	{ Utsanango, Chaghtnet, and Owegy, on the East branch of Susquehanna.
	Mohiccons	—	—	100	—	In the same parts.
	Conoies	—	—	30	—	In the same parts.
	Sapoonies	—	—	30	—	{ At Diahago and other villages up the N. branch of Susquehanna.
	Munsies	—	—	150	*150	{ At Diahago and other villages up the N. branch of Susquehanna.
	Delawares, or Linne- linopies	—	—	150	*500	{ At Diahago and other villages up the N. branch of Susquehanna.
	Delawares, or Linne- linopies	600	600	600		{ Between Ohio and L. Erie and the branches of Beaver Creek, Cayahoga and Musking- ham.
	Shawanees	400	500	300	300	Siota and the branches of Muskingham.
	Mingoes	—	—	—	60	On a branch of Siota.
	Mohiccons	—	—	300	*60	Near Sandusky.
	Cohunnewagos	—	—		—	
	Wyandots	300	300	250	180	Near Fort St. Joseph's and Detroit.
	Wyandots	300	—		—	
	Twightwies	300	—	250	—	Miami river near Fort Miami.
	Miamis	—	350	—	300	Miami river, about Fort St. Joseph.
	Ouiatonons	200	400	300	*300	{ On the banks of the Wabash, near Fort Ouiatonon.

Within the limits of the United States.	TRIBES.	Croghan. 1759.	Bouquet. 1764.	Hutchins. 1768.	Dodge. 1779.	Where they reside.
	Piankishas	300	250	300	*400	{ On the banks of the Wabash, near Fort Ouia- tonon.
	Shakirs	—	—	200	—	{ On the banks of the Wabash, near Fort Ouia- tonon.
	Kaskaskias	—	—	300	—	Near Kaskaskia.
	Illinois	400	600	300	—	{ Near Cahokia. Qu. If not the same with the Mitchigamis ?
	Piorias	—	800	—	—	{ On the Illinois R. called Pianrias, but suppos- ed to mean Piorias.
	Pouteotamies	—	350	300	450	Near St. Joseph's and Fort Detroit.
	Ottawas	—	—	550	*300	Near St. Joseph's and Fort Detroit.
	Chippawas	—	—	200	—	On Sanguinam bay of Lake Huron.
	Ottawas	—	—	—	—	On Sanguinam bay of Lake Huron.
	Chippawas	—	—	400	—	Near Michillimakinac.
	Ottawas	2000	5900	250	—	Near Michillimackinac.
	Chippawas	—	—	400	5450	Near Fort St. Mary's on Lake Superior.
	Chippawas	—	—	—	—	{ Several other villages along the banks of Lake Superior. Numbers unknown.
	Chippawas	—	—	—	—	Near Puans bay, on Lake Michigan.
	Shakies	200	400	550	—	Near Puans bay, on Lake Michigan.
	Mynonamies	—	—	—	—	Near Puans bay, on Lake Michigan.
	Ouisconsings	—	550	—	—	Ouisconsing River.

Within the limits of the United States.

TRIBES.	Croghan. 1759.	Bouquet. 1764.	Hutchins. 1768.	Dodge. 1779.	Where they reside.
Kickapous	600	300	—	250	On Lake Michigan, and between that and the Mississippi.
Otogamies. Foxes	—	—	—	---	
Mâscoutens	—	500	4000	---	
Miscôthins	—	—	---	---	
Outimacs	—	—	---	---	
Musquakies	200	250	---	250	{ On the Eastern heads of Mississippi, and the islands of Lake Superior.
Sioux. Eastern	—	---	---	500	
			Galphin. 1768.		
Cherokees	1500	2500	3000	---	Western parts of North Carolina.
Chickasaws	—	750	500	---	Western parts of Georgia.
Catawbâs	—	150	---	---	On the Catawba river in South Carolina.
Chacktaws	2000	4500	6000	---	Western parts of Georgia.
Upper Creeks	—	—	3000.	---	Western parts of Georgia.
Lower Creeks	—	1180		---	
Natchez	—	150	---	---	{ Alabama river in the western parts of Georgia.
Alibamous	—	600	---	---	

The following tribes are also mentioned :

Croghan's catal.	{	Lezar,	400	{	From the mouth of Ohio to the mouth of Wabash.	
		Webings,	200		On the Miss. below the Shakies.	
		Ousasoy	4000		{	On White Creek, a branch of the Mis-sis-sipi.
		Grand Tuc				
		Linways,				
Bouquet's.	{	Les Puans,	700	{	Near Puans Bay.	
		Folle Avoine	350		Near Puans Bay.	
		Ouanakina,	300		Conjectured to be Tribes of the Creeks.	
		Chiakanessou	350			
		Machecous,	800			
		Souikilas,	200			
Dodge's.	{	Mineamis,	2000	{	North-West of L. Michigan, to the heads of Mississippi, and up to Lake Superior.	
		Piankishas,	800		{	On and near the Wabash toward the Illinois.
		Mascoutins,				
		Vermillions,				

“ But, apprehending these might be different appellations for some of the tribes already enumerated, I have not inserted them in the table, but state them separately as worthy of further inquiry. The variations observable in numbering the same tribe may sometimes be ascribed to imperfect information, and sometimes to a greater or less comprehension of settlements under the same name.”

CHAPTER XI.

RISE AND PROGRESS OF PENNSYLVANIA, CONTINUED.

HAD it been predicted, either in Europe or America, that such a defenceless, pacific disposition as William Penn adopted for the basis of his colony, could have tamed the tigers, wolves, and bears of the wilderness, (as the savages have generally been considered,) into the temper and dispositoin of the domestic animals; who but a Quaker, would have listened for a moment to the tale? yet he has shewn to the world, the truth of the experiment, without the power or influence of any other prediction, than the suggestions of his own mind, and the happy effects of his own pacific arrangement. Let all christians, of all denominations begin seriously to enquire, whether those happy days predicted by the prophet, will or can ever arrive, when “the lion and the lamb shall lie down together,” until the same pacific disposition is adopted, and practised, both by individuals, as well as nations throughout the world. That same policy of William Penn, created a little millenium within his own colony, and when extended, may be the means of extending the same blessings to the United States, and even of diffusing the reign of universal peace. But I forbear; those happy days will assuredly come, and in their appointed time, and season, yet the changes and revolutions that are to follow each other, in their succession and order, are known only to God, and will be regulated and controuled by the unerring wisdom of his providence.

In the year 1683, a controversy arose between Lord Baltimore, proprietary of Maryland, and William Penn, proprietary of Pennsylvania, concerning those boundaries

that determined the right of soil and jurisdiction, in and over the lands lying on the west side of the bay, stiled the lower counties. In 1684, a party of Lord Baltimore's people entered upon those lands, by violence, and dispossessed many of the settlers. William Penn sent orders for William Welch, to reinstate the planters, by mild means if possible ; but if not, to proceed by prosecution ; but the aggression was suppressed by mild means, and the planters were restored. Great efforts were made by the proprietary, at this time, to suppress drunkenness amongst the savages ; but all to no effect, they were fully sensible of the evil ; but absolutely without the power of controuling it, either by persuasion, or coercion ; and when William Penn found the evil absolutely incurable, he was constrained to yield to necessity, and let it go.

The pressure of the claims of Lord Baltimore, gave such anxiety to the mind of William Penn, that he resolved to return, and decide the question in England ; accordingly in 1684, he organised his government, by appointing Thomas Lloyd President of his council and keeper of the great seal, and by a special commission, he impowered his provincial council to act in the government in his stead ; he also commissioned Nicholas Moore, and four others, as provincial judges, for two years. Thomas Lloyd, James Claypole, and Robert Turner, were impowered to sign patents, and grant warrants for land, and William Clark was appointed justice of the peace for the whole colony. All things being thus settled, the proprietary on the 12th of June, set sail for England. When William Penn had embarked for England, he sent to his friends on shore, the following letter, which for the purity of its affectionate counsel and advice, renders it worthy of record, as well as perpetual remembrance.

“For Thos. Lloyd, J. Claypole, &c.—to be communicated in meetings in Pennsylvania, and among Friends :

“Dear Friends,

“My love and my life are to you, and with you, and no water can quench, nor distance wear it out, or bring it to an end. I have been with you, cared over you, and served you with unfeigned love ; and you are beloved by me and near to me, beyond all utterance. I bless you in the name and power of the Lord ; and may God bless you, with his righteousness, peace, and plenty, all the land over. Oh that you would eye Him in all, through all, and above all the works of your hands ; and let it be your first care how you may glorify God in your understandings ; for to a blessed end are you brought hither ; and if you see, and keep but in the sense of that Providence, your coming, staying, and improving, will be blessed and sanctified ; but if any forget, and call not upon his name in truth, he will pour out his plagues upon them, and they shall know who it is that judgeth the children of men. Oh how you are come to a great land ; provoke not the Lord to trouble you ; and now liberty and authority are with you, and in your hands, let the government be upon his shoulders in all your spirits, that you may rule *for him* under whom the princes of this world will one day esteem it an honor to rule, and serve in their places. I cannot but say, when these things come mightily upon my mind, as the Apostle did of old, “What manner of persons ought we to be in all Godly conversation.” Truly, the name and honor of the Lord are deeply concerned in you, as to the discharge of yourselves in your present stations ; many eyes being upon you. And remember that as we have been belied about disowning the true religion ; so, of all government ; to behold us exemplary and christian in the use of that, will not only stop our enemies, but minister conviction to many, on that account prejudiced. Oh that you might see and

know that service for the Lord in this your day, and do it. And thou, *Philadelphia*, the virgin settlement of this province, named before thou wert born, what love, what care, what service, and what travail has there been to bring thee forth, and preserve thee from such as would defile and abuse thee. Oh that thou mayest be kept from the evil that would overwhelm thee; that faithful to the God of mercies, in a life of righteousness, thou mayest be preserved to the end. My soul prays to God for thee, that thou mayest stand in the day of trial, that thy children may be blessed of the Lord, and thy people saved by his power: My love to thee has been great, and the remembrance of thee affects mine heart and mine eye; the God of eternal strength keep and preserve thee to his glory and thy peace.

“So my dear friends, my love again salutes you all, wishing that grace, mercy, and peace, with all temporal blessings, may abound richly among you.—So says and so prays your friend and lover in the truth,

“WM. PENN.

“From on board the ketch *En- }
deavour, the sixth month, 1684.” }*

William Penn arrived in England in season to witness the death of king Charles II. and the accession of James II. Duke of York, whose characters we have so frequently noticed in America. William Penn conducted with the same wisdom and prudence in England he had done in America, and instead of availing himself of the distracted, persecuted state of the kingdom, to multiply settlers in his province, he contented himself in soothing the heart of the king, by means of that friendship he had been permitted to enjoy with him when Duke of York. Fearful of destroying this friendship by encouraging too far the spirit of emigration, he availed himself of the influence which he

possessed, in relieving the distresses, as well as obtaining the liberty of as many persecuted christians as possible, and thus he promoted the best good of his friends, his province, and the christian cause. To effect these benevolent purposes he took up his residence at Kensington, that he might have a more free and easy access to the king, 1685.

The agent of Lord Baltimore appeared in England, and managed the cause of his lordship so well, before the king in council, that he obtained an order for the three lower counties, which were formerly claimed by the Dutch, as we have seen, to be annexed to the province of Maryland. Although this division was ordered to be made immediately, it was delayed until the reign of Queen Ann, about the year 1702.

In the course of this narrative, I have endeavoured to exhibit a full portrait view of the character and administration of William Penn; let us now turn our attention to some of its shades, that we may distinguish the more minutely the expression of its true features. Notwithstanding the care and attention in selecting his officers of government to rule in his absence, and notwithstanding the pious and friendly advice he gave them, they soon gendered strifes and animosities amongst them, which threw the government into disorder. Nicholas Moore, whom the proprietary had appointed chief justice of the province at his departure, was accused to the House of Assembly, at their session on the third month, in the year 1685, and by them impeached in form before the council, in a charge consisting of nine articles, with liberty reserved for adding further if needful; which impeachment also requested that he might be removed from office. The council received the impeachment, and ordered Nicholas Moore to appear and answer to the charges exhibited against him; but upon his repeatedly being summoned, and as repeatedly de-

clining to appear, the council proceeded to remove him from all the offices of power and trust he then held in the province. This decision of the council was carried into full effect; yet the proprietary expressed his disapprobation of the doings of the council, by instituting the same Nicholas Moore one of the commissioners of government, in the years 1686 and 87, in which office of high honor and trust he continued until his death. At this time the Quakers in Pennsylvania and West-Jersey, at their yearly meeting at Burlington, made renewed efforts to prevent the sale of ardent spirits to the Indians, by their own people, and by their religious advice, counsel, and admonitions, to prevent the Indians from buying it; but all to no effect—they were ready to acknowledge the evils and mischiefs they sustained; but the love of rum overcame all other considerations, and they went right on in their habits of *getting drunk*.

During this time the labours of William Penn did not cease; he exerted himself to do good in England, Holland and Germany, and when his labours began to exhaust his estate, he then began to feel the want of some returns for the vast sums he had expended in advancing the interest of his province in America. In 1687, just before King William and Queen Mary succeeded to the throne of England, that persecution which had raged with so much violence through the reigns of James I. Charles I. Oliver Cromwell, Charles II. and thus far of James II. began to soften down into a more tolerant state; this excited the gratitude of this persecuted people, and called forth an address to the king, from the usual yearly meeting of the Quakers in London, and fixed their attention on William Penn to present it to his Majesty. I regret that the limits of this work will not permit me to insert this address, together with his majesty's answer. This address excited a spirit of malice and persecution against William Penn, as

having used an undue influence in promoting a spirit of free toleration in England, in which they accused him of possessing a Jesuitical spirit, if he actually did not compose one of the body of that order ; they also accused him of being willing to subvert all the different orders of religion of the kingdom, by promoting a free toleration, even to Popery, if the Quakers could partake in the general indulgence. The character of William Penn was handled with great freedom in the heat of this party strife, and the whole weight of what had hitherto fallen on his sect, now seemed to fall on him ; yet, firm to his purpose, he kept his eye steady to its object, and persevered in his endeavours to accomplish in England, what he had so fully effected in his province of Pennsylvania. In the year 1688, the proprietary began to be anxious to return to his province, and pass the rest of his days with his people ; but his labours and sufferings in England were not yet closed, and the alarms of the Indians about the city of Philadelphia, began to remind them that the proprietary had been long absent, and that bad men had taken advantage of it, and by their unjust aggressions provoked the Indians to seek revenge ; but the alarm, together with the causes of it, were soon removed, the Indians became tranquil, and all was peace.

This year Thos. Lloyd obtained permission of the proprietary to retire from the labours of the office of president of the council, which he had so long held with honor to himself, and with advantage to the province, and James Blackwell arrived from New-England, where he then resided, with a commission from the proprietary, of Lieut. Governor. Blackwell was no Quaker, and of course unacceptable to the council ; the wheels of government became clogged by his appointment ; all harmony in the council ceased ; and Blackwell, sensible of the mistake the proprietary had committed, prudently withdrew from his office,

and retired to England in the twelfth month of the same year. William Penn was truly the father of his little province, and both loved and cherished it with all possible paternal affection; yet as great men are not always wise, so he erred in this appointment, and the wisdom as well as prudence of his officer corrected the mistake. In 1689, *the public school of the friends* was founded in Philadelphia; in the year 1697, it was incorporated by charter, and in 1701 this charter was confirmed by patent from the proprietary, and in 1708 he fixed the number of the corporation to that of fifteen, all which were to be Quakers; under the title of "the Overseers of the Public School, founded in Philadelphia, at the request, cost, and charges of the people called Quakers." In 1711, William Penn renewed the charter of this school, whereby he confirmed all the other charters, and appointed that fifteen overseers should be chosen by the corporation, to inspect the affairs of the school; George Keith was then appointed the first master of the school.

CHAPTER XII.

CAROLINA CONTINUED.—RISE AND PROGRESS OF CAROLINA, CONTINUED, FROM THE CLOSE OF CULPEPPER'S REBELLION, TO THE CLOSE OF CARY'S REBELLION.

ALTHOUGH we have shewn in the last chapter, how Carolina progressed in the settlement of the North and South governments, until they became distinctly separate, and were under the direction of their own governors; yet such continues to be the similarity of their characters, arising from the similarity of their governments, and pursuits, that I shall carry them forward together under the name of Carolina, until a difference of character shall render it necessary to treat of them separately. We closed the last chapter with the whiskey riot. This subject now engrossed the attention of the lords proprietors, to determine whether they should proceed to force, to render the laws respected, or receive the submission of the offenders upon easy terms. The latter appeared to be the most eligible, and the offenders were pardoned upon fair promises, and the government received a wound from which it never recovered.

Under this plan of mild government, which the colony had adopted, it became absolutely necessary, that a man of prudence, integrity, firmness, and wisdom, should take the chair, and manage their affairs. But instead of such a governor, the lords proprietors appointed one Sothel, who had recently become a proprietor, by buying the share of Lord Clarendon, and of course received the appointment of governor, and set sail for Carolina; but Sothel was taken on his passage, and carried into Algiers, by one of their corsairs, and John Jenkins was appointed, pro tem, to fill the chair in the government of Albemarle. Under his wise and prudent administration, the former

Virginia grants were confirmed, agreeable to instructions from the lords proprietors, bearing date February, 1679. An act of indemnity was passed in favour of the late rioters, saving the indemnity to the crown for duties due. Thus relieved from the arm of the law, the rioters began to persecute their opponents with such bitterness and severity, that many fled into Virginia for safety and protection. In the midst of this persecution Governor Sothel arrived, who came out with instructions from the lords proprietors to redress all grievances, and by a firm, yet mild and equitable government, restore order, peace and concord to the colony ; but what is the force of council to a mad man, or the power of wisdom to an idiot, or the influence of justice and moderation upon the sordid and avaricious? Sothel had become proprietor as an object of gain ; and had embarked for his government, determined to obtain his object, and gratify the avarice of his soul. Whether he possessed an innate contempt for justice, or whether he acquired this possession at Algiers, is not essential to be known, since he had become an adept in all those arts by which man oppresses his fellow men ; and the six years of his administration exhibit a scene as replete with rapine and injustice, as are to be found on record. Justice and injustice, innocence and guilt, were with him synonymous terms, and money was the only make weight in the scale ; well might it be said of him, “ *When the wicked bear rule the people mourn.*” Such was his oppression and injustice, that the people did mourn ; but not in silence, or despair ; for they seized the offender, and were about to send him off to England for his trial ; but he plead for mercy, and prayed to be tried by the colonial assembly : they granted his prayer, the assembly tried him, and sentenced him to depart the colony in twelve months, and he complied with their decree.

Governor Sothel retired into South Carolina, where like Culpepper, he joined himself to a faction that were opposing the governor, who was attempting to reform the abuses of that colony ; his zeal on the part of the malecontents, soon brought him into notice, and this notice soon placed him in the chair, and the southern colony became the subjects of the same oppression, that had been felt in the northern. Thus Sothel was made the instrument of scourging both colonies in succession, and this led the people to renounce their present form of government, and return back to their charter, and reject the fundamental constitutions. Doomed to perpetual evil, Carolina saw no end to her troubles ; torn with internal dissensions, which arose from the corruptions of the people, and the corrupt administration of her government, she hoped to remove the latter, by returning to the charter ; and she hoped also by this to correct the former ; but in making this change new troubles awaited her. The first sketch of the constitutions contemplated, was sent over to the colony in a rough unfinished state, and was at once received and put into operation, 1669 ; but the true constitutions, as they were designed by the lords proprietors, to become the basis of the government, were not received until March, 1670, the first being then in operation, and withall most favourable to the people, was received, and supported by the majority, and the latter rejected ; yet the latter was supported by a party, and thus different interests sprang up in the colony, which now began to be felt, and had become difficult to reconcile ; the people finally united in rejecting the constitutions ; but the distracted state of the government had gendered all those excesses that arise out of idleness, anarchy, and rapine ; and honest men fled the colony, as they now flee the yellow-fever.

A general court was held in the northern colony in 1694, when it was ascertained that the list of taxables amounted

to only seven hundred and eighty seven ; about one half of the number of the colony in the days of Culpepper. Thus we have occasion to see how much the happiness or wretchedness of a people depend upon individual character. "When the wicked bear rule the people mourn."

Philip Ludwell, who was appointed to succeed Sothel, entered upon the duties of his office, with firmness, integrity, and a steady eye to the inflexible principles of justice. He promised redress to all such as had suffered wrongs under the administration of Sothel ; and he opened wide the courts of justice, to those whom Sothel had defrauded in his private capacity, and thus became a minister of good to this distressed people : justice flourished under his fostering care, and dispensed her favours to the oppressed, with a liberal hand. After a wise administration of four years, Governor Ludwell, was succeeded by Thomas Harvey. The wisdom and integrity of Governor Harvey were equal to those of his predecessor ; but he was wanting in that firmness, and decision which were so conspicuous in Governor Ludwell, and which were also very essential to the prosperity of a state, torn as was Carolina, by licentiousness, discord, and anarchy. We have seen how the disorders of the northern colony, in the time of Culpepper, became infectious, and spread into the south, and have seen the corrupt effects of this in raising a Sothel to the chair, at the head of a factious, demoralizing mob. Thus we are led to see, not only in this instance, but in thousands of others, upon the whole page of history, that when the morals of the people become corrupt, knaves, and rogues, and ambitious demagogues become the tools of faction, until they rise into power ; then mobs and factions become their tools to rivet the chains of slavery upon the necks of the people, and thus they become *their despots*. As the two colonies of North and South Carolina had, until of late, been under one govern-

ment, it is not to be expected that any particular distinction could so soon have appeared ; but that the habits, manners, and morals of both must necessarily have continued the same ; yet there was some difference which is worthy of notice. In North Carolina we have seen nothing of religion in any shape, or form ; but in South-Carolina, under the administration of Sir John Yeamans, religion was introduced, merely as an engine of state, to prop up a party. During the civil wars in England both Cavaliers, (*or High Church,*) and Round-heads, (*or Puritans,*)* fled into South-Carolina, where, under the necessity of things, in the infancy of a colony in a wilderness, they could agree so far as it respected mutual wants, and mutual defence ; but being on the extremes of variance, both in religion and government, they began again to disagree as soon as those common necessities began to lighten, or be removed, and the question of ambition arose,—Who shall rule ? the old party spirit revived, and the parties were at issue. A churchman can never be content under a republican government ; the moment he does, he becomes an apostate ; a puritan is the same, whenever he consents to a monarchical ; unless from necessity, and the rod of coercion.

Sir John Yeamans, was a full blooded churchman, or Cavalier, and so were the majority of his council, and they had attempted to establish a high-toned prerogative government ; but the Puritans were opposed. Governor West who succeeded Governor Yeamans was a moderate and prudent man, who could not govern the state under such discordant interests, and was soon succeeded by Governor Morton, and he the next year by Governor Colleton. Under this administration, the Cavaliers had nearly ruined all government. They not only despised the mild and prudent measures of Governor Colleton ; but set up a pointed opposition to all his measures, and finally deposed

* These were party names in those times in England.

him by carrying a bill through the assembly, that Mr. Colleton should not hold any office in the colony. Things were now ripe for a change, and this change was produced by placing Sothel in the chair, as has been noticed. Energy, malice, hatred, discord, and revenge stalked abroad, and persecution, with her iron wand, raged throughout the colony. That little colony of French Huguenots, who had settled in South-Carolina, became the objects of the most bitter persecution. They were denounced by the Cavaliers, now in power, as aliens, and incapable of holding lands, according to the alien laws of England, and were even refused naturalization; all their marriages by their ministers, not ordained by bishops, were declared unlawful, and their children bastards, and thus all Puritans, or dissenters, became mere blanks in society, and *the Cavaliers ruled the state*. Governor Smith who had succeeded Sothel, in these troublesome times, found himself unable to direct the storm, and asked permission to retire into private life. The proprietors had long viewed with anxiety the factions of the two colonies, and sought to quiet them; but they had now become the more alarmed for the safety of the southern colony, because the oppressions of the people arose from a religious faction, *which they knew was of all others the most difficult to manage*.

The proprietors made one more effort to heal the factions of the south, and chose Lord Ashley, (one of their number,) whose every qualification recommended him to the work; but he declined, and they then sent out John Archdale, to direct the ship, in the midst of the tempest; vested with powers, more extensive than had hitherto been granted, or (as was particularly expressed in his commission) that might be expected in future.

In August 1695, the new governor arrived first in South-Carolina, and entered upon the arduous duties of his office. His first step was to remove the council of Cavaliers, and

form one of moderate men ; he next began to reform the factions of the state at large, by administering justice with a liberal hand ; and when the heat of party began sufficiently to abate, he called an assembly of the people ; this assembly was regular and tranquil, and when their session closed, they expressed the grateful acknowledgment of the colony to the lords proprietors, for the happiness they enjoyed under their new governor.

All that William Penn had been, in quieting the feuds of his colony, was found in Governor Archdale, in quelling the factions of South-Carolina ; both were Quakers ; and in their governments, displayed the true character of their religion. Governor Archdale went one step further in his government than William Penn ; he was sensible that a regular means of defence might be established, as it had become necessary to protect the colony from the incursions of the neighbouring Indians, or other foreign enemies, and therefore promoted a militia law, that exempted all such as were conscientiously averse to bearing arms. The governor, though a Quaker, believed that the most effectual way for them to avoid the shedding of blood, was to shew to their enemies that they were prepared for self defence, as well as to revenge their own wrongs, and punish such as dared to invade their rights. Thus armed with the sword of defence, the governor soon had an opportunity to display his pacific disposition, as well as those principles of justice and kindness which he felt, and meant to exercise towards the Indians. Some of the neighbouring tribes, as was common, had put themselves under the protection of the English colony ; amongst those was the Yammassee tribe, who lived near to Charlestown, on the south. These Indians in their wars with the Spanish Indians, had taken several prisoners, which they offered for sale, (according to custom.) Governor Archdale sent for the chief of that tribe, and gave him a letter to the Spanish govern-

or at St. Augustine, with directions to restore the prisoners, and deliver the letter. The chief complied, and this act of benevolence raised the reputation of the governor in the estimation of the Indians, as well as the Spaniards, and greatly promoted the peace, as well as the trade of the colony.

The settlements of the colonies of North and South-Carolina, were at this time distant about three hundred miles: the tribes about Pamlico, Neus, and Trent Rivers, were numerous, and the Cape Fear Indians were robbers and plunderers, from a custom they had practised of robbing and plundering all such vessels as were at any time cast away, or driven ashore upon the cape, as well as murdering the passengers.

A war raged between the Indians of the two colonies, and the Indians of the south took several prisoners of the Cape Fear Indians, and sold them for slaves; the fame of Governor Archdale had reached their ears, they applied to him in their distress, and complained of the wrongs; the governor listened to their complaint, and promised them protection and assistance, provided they would never more plunder the unfortunate, who might be cast away upon Cape Fear. They readily complied, their prisoners were restored, and they were faithful to their promise, by affording relief to fifty unfortunate New-England adventurers, who were cast upon Cape Fear, on their way to Charlestown. The fame of that wise and prudent administration which Governor Archdale had displayed in South Carolina, had now reached the northern province, and opened the way for him to take the chair of state in that colony, and enter upon the same Herculean task of reforming the abuses and corruptions of another profligate and factious government. The reformed example of the south, had shone so conspicuous that it greatly facilitated the reformation in the north, and the sect of Qua-

kers in the north being numerous, rendered the administration of Governor Archdale the more easy and pleasant : being one of their sect, he took up his abode with them, purchased an estate at Albemarle, married his daughter at Pasquetank, and not only passed his remaining days in the colony, but left a progeny that continues to this day.

Sir Nathaniel Johnson succeeded to the chair in South-Carolina, as deputy-governor, upon the departure of Governor Archdale ; a man of wisdom and prudence ; but mild in his measures, and the high-church party took advantage of the times, set up their old claims of prerogative, and by their intrigues, obtained a majority of *one* voice in the assembly ; upon the *strength of this*, they passed a law to exclude all dissenters from the assembly, and another to establish the Church of England. When the knowledge of these laws reached Governor Archdale, he used his influence with the proprietors in England, that they might not be ratified ; but all in vain, they were confirmed ; this opened the old wound afresh ; the dissenters remonstrated to the House of Lords ; their remonstrance was heard, and their lordships were pleased to address her majesty, Queen Ann, praying her majesty to order the laws to be repealed, and direct a writ of *Quo Warranto* against the charter of the lords proprietors. Her majesty was pleased to cause the laws to be repealed, and the colony was left to settle their own feuds.

Thomas Harvey again became deputy-governor, and upon his death in 1699, Henderson Walker became deputy-governor, formerly judge of the Superior Court, and was elected president of the council.

In the year 1703, Robert Daniel, a Landgrave, became president of the council, upon the death of Walker, and Thomas Carey was appointed deputy-governor.

During this period of ten or twelve years, both colonies flourished; settlements were formed upon the Neus and Taw Rivers; the county of Bath was formed in the south, and peace and good order had in some measure succeeded the times of anarchy and misrule.

During this period also, some special displays of Divine Providence were added to the wisdom of Governor Archdale's administration, in forwarding and promoting the settlement of Carolina. Pamlico River was first settled in 1698, in consequence of a sweeping sickness that raged amongst those river Indians, and nearly swept off and destroyed that tribe, in 1696, and the Carolina Indians were, at that time, severely humbled by another powerful tribe; both which circumstances prepared the way for the English to enter upon a quiet possession of those vacated lands, in 1698. This settlement thus extended, in the fore part of the 18th century, changed the former name of the province from that of "Albemarle County in Carolina," to that of "the Colony of North-Carolina," and the governor in his commission was henceforth stiled the Governor and Captain-General, Admiral and Commander in Chief, of that part of our province of Carolina that lies North east of Cape Fear. Some of the commissioners described it as "that part of Carolina which extends from Virginia to Pamlico River, and five miles to the southward." But the assembly in their acts called it North-Carolina. Thus situated, the colony flourished, and the population progressed, until the several precincts, in these original counties of Albemarle and Bath, became so extensive, that the whole were called counties, about the year 1738. Such was the scarcity of money in the colony in those days, that the several articles of traffic were substituted in the place of money, and made payable for quit-rents, and other debts, and the price of these articles was fixed by law—even judgments of court were entered upon the

docket as payable in particular articles therein specified. The proprietors received their quit-rents by their agents, who stored their articles of barter and exchange, and shipped them to England, the West-Indies, or elsewhere. Assignments of lands, or quit-rents were sometimes made to public officers to guarantee their support, as was done with Governor Ludwell and others.

With the change of the constitutions, the name of the Supreme Court was changed from that of Parliament, to that of General Assembly; this change of name could be remembered; but the laws they enacted could hardly be expected to be remembered, for they were not yet printed; at the rising of each assembly, the laws then enacted were read aloud in the audience of the people, and thus the laws were so far supposed to be known, that no man was allowed to plead ignorance. At one session of a biennial assembly, more than fifty laws were enacted, yet they were published to the people only by one reading; and even had they been printed, how many might be supposed could have read them, in a colony where even a printing press was prohibited, as it then was, both in Carolina and Virginia. A circumstance that called forth the emotions of Sir William Berkely in gratitude to Heaven, "*that there was not a printing press in all the southern provinces.*" Ignorance ever has been the soil, on which alone arbitrary and despotic power, could flourish; but how much is it to be lamented, that all sticklers for such despotic sway, do always forget to remember, (or in other words,) always disregard the fact that ignorance ever has, and ever will be the hot-bed of bigotry and superstition, the *carriage* that breeds factions, discords, tumults, riots, rebellions, and civil wars, which often by their excesses and ravages produce famines, pestilences, with the whole train of the heavy judgments, with which God in his providence, scourges a licentious, corrupt, and abandoned people. At a period

so late as 1722, was built the first court-house in Carolina; hitherto all their public tribunals had been held in private houses.

It has not yet appeared by any historian of those times, what were the staple products of Carolina, (deer skins, hides, tallow, and small furs, were the articles generally entered upon the dockets *at country prices*, to satisfy a judgment of court)—but the articles of rice and tar were not then contemplated, as late as the first of the 18th century. Two circumstances introduced these into notice. A ship from Madagascar bound to London, touched at the bar on her voyage, and the captain gave a few kernels of seed rice to the governor; from this, rice became the staple. In the reign of Queen Ann, the Swedes, (who had hitherto furnished tar for the English navy,) became extravagant in their demands, the queen offered a large bounty upon tar, which encouraged the manufacture of tar in Carolina, which has become another staple in the colony, 1704.

Hitherto all religions had prevailed in Carolina; and but little regard had been paid to any, unless by way of party, as we have seen in their attempts to oppress the people by Episcopacy. “In the year 1702, the Assembly passed a law, by which thirty pounds currency per annum, were raised in each precinct, towards the support of a minister. In the following year, the first Episcopal minister arrived from England; he was chiefly supported by Lord Weymouth. In the year 1705, the first church was built in Chowan precinct, and a larger church was built the following year at Perquimons. Two Episcopal ministers arrived about this time. The province was afterwards divided by law into parishes, each precinct, in general, forming one parish. The people on Neus, and all the southern settlers, were then included in Craven parish. Magistrates were authorised by the same law to join parties in marriage, provided there was not a minister in the parish,

otherwise he was subject to a fine of five pounds for performing that service. Protestant dissenters were allowed by another act *to worship in public*, subject to the same rules, regulations, and restrictions, as were contained in the several acts of Parliament in England. Quakers were permitted by law to affirm, instead of swearing; but they could not by virtue of such affirmation give evidence in any criminal case, or serve on a jury, or hold an office of profit or trust in the land. These were the first departures in the northern government from the original engagement of the proprietors; on the subject of religion: but the spirit of intolerance grew stronger as the province increased in population; for the constant influence of patronage, and numerous emigrations from Virginia, had given the Episcopalians a majority in the legislature.”*

That ferocity of the savages, which distressed the first settlers about Pasquetank, had thus far been restrained since the settlement of the present colony, and the parties had hitherto lived in good neighbourhood; but they were now about to suffer the scourges of savage and civil wars together. This scene opened first with the civil war, and in the following manner. Their deputy-governor, Thomas Carey, had been collector of the proprietary quit-rents; but for mal-conduct they removed him from the offices of deputy governor and receiver of rent, and directed the council to elect a president to administer the government. A meeting of the deputies was held, and they elected Mr. Glover president. Carey continued his seat in the council, with apparent satisfaction, until he had by his intrigues formed a party, which he believed sufficient to empower him to seize on the government, and he made the attempt with an armed force, but it failed; and at the same time a commission arrived from the lords proprietors, to Edward

* I have given this important religious feature of their history, in a correct extract from their historian, Dr. Williamson.

Hyde, as Lieut. Governor. Gov. Hyde promised to redress all the grievances of which Carey complained; but this was not the object; Carey had been deposed, and now taken arms to recover the government, and was resolved to persevere. Gov. Spotswood of Virginia attempted to interpose, by offering his mediation, but all was vain; Carey looked to the government, and was resolved to obtain it. He next commenced an attack upon Edenton, but was repulsed with loss; failing in this, he fortified the private house of an English factor at Pamlico. This factor had brought out arms, rum, &c. suitable for such an insurrection, and was ready to join in any measures that would render him popular at the expense of the government. Carey's active force had not become very strong; but from the passive or neutral state of the colony, he hoped to augment his forces so far as to be able to succeed. Governor Hyde, sensible that a body of regular troops were in Virginia, requested of the governor the aid of a detachment to quell the insurrection; the governor complied, and sent a party of mariners, from such ships as lay in the Road, and the mob were soon dispersed. Carey fled into Virginia, under a pretence of embarking for England; but the governor seized him, and sent him a prisoner to England, together with one Truit, one of the partizans of Carey.

Thus the second volume of Culpepper was closed without effecting the object, or producing any serious effects on the government. Governor Hyde, agreeable to his instructions, issued his proclamation, offering pardon to all the insurgents, except Thos. Carey, John Porter, and three others; and tranquillity was again restored.

Notwithstanding the black catalogue of events which marked the character of Carolina, yet it stands recorded by their historian, "that in 1708, only two persons had been executed for capital offences, the one a Turk, for murder, and the other an old woman, suspected of witchcraft."

In 1703, Albemarle sound was frozen over.

CHAPTER XIII.

MARYLAND.

RISE AND PROGRESS OF MARYLAND, FROM ITS ORIGIN DOWN
TO THE AMERICAN REVOLUTION.

Not being able to find any historian upon the State of Maryland, I shall supply that deficiency by the following extract from Morse's Universal Geography, and Proud's History of Pennsylvania, by the way of historical sketch of that State.

“ Maryland was granted by King Charles I. to George Calvert, Baron of Baltimore, in Ireland, June 20, 1632.* It was called Maryland in honor of the queen, and was the first colony that was erected into a province of the English empire, and governed by laws enacted in a provincial legislature.

“ Lord Baltimore was a Roman Catholic, and was induced to undertake this settlement in America, from the hope of enjoying liberty of conscience for himself, and such of his friends as might prefer an easy banishment from England, embittered as they were by the sharpness of the laws, and the popular odium that hung over them. The court at that time were very little disposed to treat the Roman Catholics with severity, neither had they any reason to do it; but the laws were of a rigorous complexion, and however the court might be inclined to relax them, they could not in policy do it without great reserve.

* Mr. Proud, in his history says that King Charles I. promised this grant to George Calvert, at a prior time; but upon his dying before the grant was actually made, the king fulfilled his promise, by causing the patent to be made out to Cæcilius, the son and heir to Sir George, on the 12th of June, 1632. The king himself named it Maryland, in honor of his queen, Henrietta Maria.

“The first emigration, consisting of about two hundred gentlemen of considerable fortune and rank, with their adherents, chiefly Roman Catholics, sailed from England in November, 1632, and after a prosperous voyage, landed in Maryland, near the mouth of the Potowmac, early in January, 1633. Lord Baltimore purchased the rights of the Aborigines, for a consideration which seems to have been satisfactory; and with their free consent, in the following March, he took possession of the town which is called St. Mary's. Prudence as well as justice dictated the continuation of this salutary policy, with regard to the Indians, and having carefully cultivated their friendship, he lived with them on terms of perfect amity, till it was interrupted by the intrigues of one William Clayborne.”—*Dr. Morse.*

“This province is situated between 37 degrees and 40 degrees of north latitude, and according to the words of the patent, “Tis all that part of Pennsylvania lying between the ocean on the east, and the bay of Chesapeake on the west, and divided from the other part by a right line, drawn from the cape called Walkinson's Point, situated in the aforesaid bay, near the river Wighco, on the west, unto the main ocean on the east, and between that bound on the south, unto that part of Delaware Bay, on the north, which lies under the 40th degree of north latitude, &c. and all the tract of land from the aforesaid bay of Delaware, in a right line by the degree aforesaid, to the true meridian of the first fountain of the river Potowmac, and from thence tending towards the south to the further bank of the aforesaid river, and following the west and south side of it to a certain place called the Cinquack, situated near the mouth of said river, where it falls into the Chesapeake, and from thence in a straight line to the aforesaid cape called Walkinson's Point, &c.

“These are the boundaries of Maryland, as expressed in the patent, concerning which afterwards there was so long a dispute between the proprietors of that province and of Pennsylvania, arising principally from the words expressing the boundary between them, made by each party, and of the intention of said grant; for first the extent of land claimed in the fortieth degree, was claimed by both provinces, as lying entirely within their respective grants,” as has been noticed in the history of Pennsylvania. “That part of the western shore of Delaware, which appears to come within the bounds of Lord Baltimore’s grant, had long before this time been possessed and inhabited by the Dutch and Swedes successively, and was claimed by the former as a part of New-Netherlands, and was then actually in possession of the latter; whereas it appears manifest, from both the Maryland patent and the best documents, only such lands were intended to be granted to the Lord Baltimore as were uncultivated and uninhabited by any people except Indians,” &c.—[See Pennsylvania.] *Proud.*

Lord Baltimore laid the foundations of this province on the broad basis of security to property, and liberty in religion; granting in absolute fee fifty acres of land to every emigrant, establishing christianity agreeable to the old common law, without allowing preeminence to any particular sect. The measures of his choice soon converted a dreary wilderness into a prosperous colony. The transportation of people, and necessary stores and provisions, during the first two years, cost Lord Baltimore upwards of £40,000. The freemen of the colony, even during its infancy, granted him a subsidy of fifteenths of tobacco on every poll, “as a testimony of gratitude for his great charge and solicitude in maintaining the government and protecting the inhabitants in their rights, and for reimbursing his vast charge.” This donation does equal

honor to both, as it shews that the one had merited, and the others possessed gratitude.

The providing food and habitations, necessarily engrossed much of the attention of the first settlers. They lived for some time rather under the domestic regimen of a family, than according to the diffusive regulations of a provincial establishment. The Indian women taught the emigrants how to make bread of their corn ; their men went out to hunt and fish with the English ; they assisted in the chase, and sold them the game they took for themselves for a trifling consideration ; so that the new settlers had a sort of town already built ; ground already cleared for their cultivation ; and no enemy to harass them. They had also prudently commenced their settlement at that season, when the operations of agriculture naturally begin. Food was therefore easily provided for those whom they expected to follow them from England.

“ The first assembly that appears on record was held, probably by all the freemen in the colony, because their numbers were few, in February, 1634-5. Little appears to have been done at this assembly ; but the laws of England appear to have been the laws of the colony from the following law that was then enacted, “ that offenders in all murders, and felonies shall suffer the same pains and forfeitures as for the same crimes in England.” As emigrants arrived and extended themselves at a great distance from St. Mary’s, the metropolis, legislative regulations became more necessary. With a view chiefly to procure the assent of the freemen to a body of laws, which the proprietary had transmitted ; Calvert the governor called a new assembly in January, 1637-8. But rejecting these with a becoming spirit, they prepared a collection of regulations, which demonstrated, equally their good sense, and the state of their affairs.”

A third assembly was held at St. Johns in February, 1638-9, at which time a considerable change took place. While their numbers continued few, the whole body of the freemen seem to have consented, in person, to every law ; but now an act passed, "*for establishing the House of Assembly.*" It enacted that those who should be elected, pursuant to writs issued, should be called Burgesses, (as we have noticed in Virginia,) and should supply the place of the freemen who chose them, in the same manner, and to the same purpose as the representatives in the Parliament in England. That the gentlemen summoned by the special writ of the proprietary, and those freeman, who should not have voted at any of the elections, together with the governor and secretary, should be called "the House of Assembly," that all acts assented to by that body, should be deemed of the same force, as if the proprietary and freemen had been all present. The legislative power, being thus erected, the assembly passed a code of laws, until a complete system of jurisprudence became established. "Holy church (said the good Catholics) shall have her share of rights and liberties." All inhabitants were required to take the oath of allegiance to his majesty ; the prerogative colonists shall enjoy their liberties, according to the great charter of England. The acts of assembly of Maryland demonstrate that none of the colonies better understood their rights, or were more ready to acknowledge their duties, than were the people of that province. Slavery seems to have taken deep root in Maryland with its first inhabitants, as an act of this assembly describes "*the people*" to consist of all christian inhabitants, "*slaves only excepted.*"

In the beginning of the Parliament which was held in 1640, (in Virginia,) an attempt was once more made to establish over Virginia, the government of the ancient corporation, and thereby to annul the charter of Mary-

land ; but owing partly to the assembly of that ancient dominion, which had now learned from experience, that more real liberty was enjoyed under any form of government, than beneath the rule of a commercial company ; but more to the injustice and difficulty of the measure, that project was dropped, and thus what commenced in wickedness, ended in disappointment.

Never did a people enjoy more happiness, or were more grateful for it, than the inhabitants of Maryland under Cæcilius, that excellent founder of the province. The spirit which the emigrants displayed upon all occasions, as well as their legislative talents, evince that they understood their interest and pursued it. That while they cherished the just prerogative of the proprietary, they never lost sight of the rights of freemen.

The wise and prudent government, with regard to the Indians, had hitherto ensured peace, which had proved extremely beneficial to the province, during its weakness. The intrigues of Clayborne, however, infused a jealousy that was never wholly eradicated. The rapid increase of strangers, which threatened their own annihilation as a people, and the donation of their lands, without the authority of government, for trifling considerations, gave them the greatest dissatisfaction. All these causes brought on an Indian war in 1642, which lasted several years, and was attended with the customary evils. A peace was at length concluded upon the usual conditions, of present submission and future amity. Laws were soon made to prevent in future, the existence of the same causes, and all purchases of lands, without the consent of the proprietary, were declared illegal and void. It was made *felo-ny of death* for any one to sell or transport any friendly Indians. And it was declared highly penal to deliver any arms or ammunition to them. These salutary regula-

tions, with the prudent conduct of the governor, preserved a long, and advantageous peace with the natives.

The public tranquillity was scarcely restored, when it was disturbed by mischiefs of greater magnitude, and more malignant effects. The restless Clayborne, joined to Richard Ingle, who had been proclaimed a traitor against the king in 1643, aided by the turbulent spirit of the times, raised a rebellion in this province in the beginning of the year 1645, and obliged Calvert the governor, to flee into Virginia for protection. The administration, which he had been constrained to relinquish, Clayborne's adherents instantly seized on as belonging to them, and exercised it with great violence; and notwithstanding Calvert's most strenuous exertions, the revolt was not suppressed nor quieted, until August of the year 1646.

The calamities of that period are sufficiently described by the assembly, when they say, "that the province had been wasted by a miserable dissension, and unhappy war, which had been closed by a happy restitution of blessed peace."

The revolt thus being suppressed, and order restored in the state, the assembly endeavoured, with a laudable anxiety, to preserve the peace of the church; and though composed chiefly of Roman Catholics, which would have enabled it to pass any regulations, peculiarly favourable to that denomination, the act which it passed "concerning religion," breathes a spirit of liberality uncommon at that period. It recited that the enforcements of conscience had ever been of dangerous consequence, in those countries where it had been practised; and it was enacted, that—"No persons professing to believe in Jesus Christ, should be molested in regard to their religion, or in the free exercise thereof, or be compelled to the exercise of any other religion, against their consent; so that they be

not unfaithful to the proprietary, or conspire against the civil government. That any person molesting another in respect to his religious tenets, should pay treble damages to the party aggrieved, and twenty shillings to the proprietary ; that those reproaching any with opprobrious names of religious distinction, should forfeit ten shillings to the person aggrieved ; that any one speaking reproachfully against the Blessed Virgin, or the Apostles, should forfeit five pounds ; but blasphemy against God, should be punished with death."

This act passed in 1649, and was confirmed in 1676, among the perpetual laws of the province.

Virginia, at this time, animated by a different spirit, passed severe laws against the Puritans, whose ministers were not suffered to preach ; which occasioned numbers to emigrate to Maryland.

A new religious drama was now opened upon the great theatre of the American colonies. In Massachusetts the Congregationalists were persecuting the Episcopalians, Quakers, Baptists, and all others ; and the Episcopal church in Virginia, exercising the same power, and revenging upon the Puritans ; but the Roman Catholics, to their eternal honour, were tolerating and protecting all.

In that memorable year, 1650, that constitution was finally established, which continued, with very little interruption, down to the year 1776, when the constitution she now enjoys was adopted. In the old constitution, the Burgesses, when convened in 1642, requested "that they might sit by themselves, and have a negative ;" this was denied ; but they afterwards availed themselves of the distraction that then took place, and the assembly divided themselves into two branches, in 1649, and transacted affairs in the form of Upper and Lower House. In 1650, a law was passed for settleing the order of Assembly. It

enacted that those that were called by special writs, should constitute the Upper House ; those chosen by hundreds, should form the Lower House ; and that all bills, which shall be consented to by the two branches, and approved by the governor, should be deemed the laws of the province, and have the same effect as if all the freemen were then present.

It is from this epoch of its existence that the democratic part of the assembly, consisting of fourteen delegates, must date the origin of its particular immunities, or exclusive privileges. An act of the recognition of the undoubted right of Lord Baltimore to the province, was passed at this session.

The province at this time was divided into three counties, viz. St. Mary's, the Isle of Kent, and Ann-Arundale ; these counties were sub-divided into eight hundreds.

In 1651, the commissioners were appointed, by the then ruling power in England, (the commonwealth,) " for reducing and governing the provinces within the Chesapeake Bay," which trust they exercised with great attention and dexterity.

The following year, the commissioners issued a variety of orders with respect to Maryland ; yet whilst they established the authority of the commonwealth, they permitted the proprietary, who had acknowledged its authority, to rule his province as formerly ; though in the name of the keepers of the liberties of England.

In the year 1654, when Cromwell had enjoyed for one year, the power of Protector for life, he seized on the government of Maryland. This gave rise to strife and contention between Catholics and Puritans, which issued in civil war. The Catholics under Gov. Stone, strenuously supported the old constitution, and the Puritans claimed the rights of 1649, when the assembly was divided into the two houses, and commenced the commonwealth. This

civil war commenced by skirmishes between the parties until they had collected their strength, and then a decisive action was fought, the Catholics were vanquished, the governor was taken prisoner, and ordered by martial law, to be executed ; but the Puritan soldiers, who remembered his mild administration, plead for his life, and his punishment, by their intercessions, was changed into a long and severe confinement.

In July 1654, Clayborne, the evil genius of Maryland, again appeared upon the theatre of action, and appointed Fuller, Preston, and others, commissioners, “for directing the affairs of Maryland, under his highness the lord protector.” These men called an assembly to meet in October of the same year ; but the burgesses, returned for St. Mary’s county, refused to serve, deeming it “inconsistent with their oaths, which they had taken to Lord Baltimore.”

This assembly first passed “an act of recognition of Cromwell’s authority,” as from him they had derived their power ; it next passed an “act concerning religion,” declaring that none who professed the Popish religion could be protected in this province, by the laws of England formerly established, and yet unrepealed, nor by the government of the commonwealth. That such as professed faith in God, through Jesus Christ, though differing in judgment from the doctrine and discipline publicly held forth, should not be restrained from the exercise of their religion ; provided, such exercise was not extended to Popery or Prelacy ; or to such as under the profession of Christ, practised licentiousness. The contrast between this and the act of assembly in 1649, relative to religion, is as great as the opposite extremes, and reflects great honor on the Roman Catholics.

In March 1658, the government was surrendered, by the commissioners, to Josiah Fendall, Esq. who had been appointed governor by the proprietary. During his administration, the Burgesses of the assembly, which met in February 1659, by his connivance, or direction, dissolved the upper house, and assumed every power in the state. For this treacherous surrendry of the trust reposed in him by the proprietary, he received a new commission as governor, from the then ruling party.

In 1660, upon the restoration of King Charles II. in England, the proprietary appointed Philip Calvert, Esq. Governor of Maryland, and in December, he assumed the reins of government.

Maryland bore these political changes without their having much effected her prosperity ; her wealth and population progressed so rapidly that she could then boast the number of 12000 souls.

In 1662, Charles Calvert, eldest son of the proprietary, by appointment of his father, assumed the reins of government, and if we may decide from the various "acts of gratitude," which were passed by the assembly, he followed with the greatest success, the salutary maxims of his father.

In the beginning of the year 1676, died Cæcilius, the father of the province, covered with age and reputation, in the 44th year of his government. He lived to see his province divided into ten counties, containing about 16,000 souls, of whom the Catholics were to the Protestants as one hundred to one ; but there were no parishes laid out, or churches erected, nor public maintenance granted for the support of the ministry, and there were then only three clergymen of the Church of England in Maryland.

Charles Calvert, who had governed the province, with great ability, prudence, and reputation, from the year

1662, succeeded his father as proprietary, in the year 1676. He immediately convened an assembly, in which he presided in person. This assembly carefully revised the whole code of laws, repealed the unnecessary, explained the obscure, and confirmed the salutary.

Early in the year 1689, a rumour was artfully spread abroad ; framed by faction, and credulously believed, “ that a Popish plot was concealed under the administration, supported by Papists, and in league with the Indians, to cut off all the Protestants in the province.” Confusion, terror, and dismay reigned triumphant ; an association, in arms was formed, (in defiance to every art of persuasion the Catholics could devise, to maintain their innocence, in defence of a report so absurd in itself,) for the defence of the Protestant religion, and in asserting the title of King William and Queen Mary to that province, and all the English dominions in America.

The association placed at their head John Coode, a seditious, profligate fellow, who in 1681, had been tried and condemned for riotous practices, but had been pardoned. The deputies at first, endeavoured to oppose the association with force ; but meeting with few supporters, they were constrained to deliver up the fort, with the powers of government, by capitulation, and a complete revolution of government ensued.

Thus were the prerogatives of the proprietary, which he had exercised with unexampled attention to the rights of the people, together with the privileges of the Roman Catholics, which they had hitherto enjoyed under the mildest of laws, overwhelmed at once, under the provincial Popish plot, and buried in the same grave. King William approved of the revolution, and transmitted orders to those who had thus acquired the power, to exercise it in his name, for the present, to preserve the peace ; and for the succeeding 27 years, the government of the province remained in the Crown of England. In 1692,

the Protestant religion was established by law in this province.

In the year 1716, the government was restored to Charles, Lord Baltimore, the then proprietor, and continued in his hands, and those of his successors, down to the American Revolution ; when, though the proprietary was a minor, the property was confiscated, and the government assumed by the freemen of the province ; who framed the present constitution.

We will now bring forward the history of Delaware.

CHAPTER XIV.

DELAWARE.

RISE AND PROGRESS OF THE STATE OF DELAWARE, FROM ITS FIRST SETTLEMENT TO THE COMMENCEMENT OF THE REVOLUTIONARY WAR.

DELAWARE, like Maryland, has remained to this time without a regular historian to record the minutiae of those events by which she has risen, and acquired that elevated rank she now holds in the great Federal Republic of America. To supply the place of such a regular history, I shall insert the following sketch of her history, by way of extract, from Dobson's Philadelphia edition of *Encyclopædia*, Vol. V.

“ Delaware is situated between 38 deg. 29 min. 30 sec. and 39 deg. 54 min. of north latitude. It extends from nearly the same longitude with the city of Philadelphia, to about 40 min. of west longitude from Philadelphia. It is about one hundred miles long and forty broad at the southern part, the northern part being so narrow as to give a mean width of about 24 miles. Delaware is bounded east by the bay and river, which bears its name, and the Atlantic Ocean on the south, by a line drawn from Fenwick's Island due west, until it intersects, the tangent line that divides it from Maryland, on the west by the said tangent line, until it touches the western part of the territorial circle, described by a radius of twelve miles about the town of New-Castle. Contents of area 1,200,000 acres.

“ About the year 1497, John Cabot and his son Sebastian, who were Venetians in the service of Henry VII. king of England, [*See Introduction.*] made a general discovery

of the American coast, which lies along the northeast of the continent. This was before the discoveries of Columbus had extended further than to a few of the West-India Islands. No settlement appears to have been effected here, until many years after the discovery of the Cabots. About the year 1608, Henry Hudson visited this coast, [*See Introduction.*] and explored more particularly the bay of Delaware, and the Hudson River, (called after his name,) and the adjacent country. Soon after this, the Dutch are said to have purchased from the said Captain Hudson, whatever right he might have acquired to said territory, by his discovery, and immediately sent out a colony to commence a settlement. [*See New-York.*] At what time they commenced the settlement of Delaware is not known; but it is well ascertained that they had erected a fortress at Nassau, now Gloucester, on the east side of the bay, as early as 1632.

“ In 1627, this country was visited by a colony of Swedes and Fins, under the command of Wm. Useling, a respectable Swedish merchant. They landed, and at first settled Cape Henlopen, which they called Paradise-Point. About the year 1631, they built a fort near Wilmington, which they called Christian, or Christina. There also they laid out a small town, which was afterwards demolished by the Dutch. The state of opposition between the colonies, for some time, required the erection of fortifications, all through the country. [*See New-York.*] Soon after the arrival of the Swedes, they were governed by Peter Minuet, under a commission from the queen of Sweden. Some time after this, the Swedish colony was committed to the government of John Printz, and on his being obliged to return home, in 1654, his son-in-law John Papgoia, was deputed to the administration.

“ In the year 1655, the Dutch in this settlement were considerably recruited by the arrival of seven vessels from

New-Amsterdam, (now New-York,) having on board 6 or 700 men. [See *New-York*.] In the year 1672, the town of New-Castle was incorporated, by the government of New-York, and was to be subject to a bailiff and six assistants. After the first year the four eldest were to be removed from office, and four others elected. The bailiff was president of the corporation, and entitled to a double vote. They had power to try causes, not exceeding ten pounds, without any appeal from their jurisdiction. The office of Scout, who had been the chief of the council of six, was here converted into sheriff, who had jurisdiction within the corporation, and along the river, and was annually elected. From this new constitution the inhabitants had the benefit of a free trade without being obliged to make entry at New-York, as heretofore.

“During the early periods of the settlement of Delaware, *wampum* was the principal currency of the country. Gov. Lovelace of New-York, ordered by proclamation, that four white grains and three black ones, should circulate for a stiver, or penny. This proclamation was published in New-York, Albany, Long-Island, Delaware, and the adjacent countries, under the government of the Dutch. Large parcels of land had been purchased from the Indian proprietors, by the Dutch, previous to the conquest of Capt. Carr. And after the establishment of the government of the Duke of York, the governors, deputy-governors, and different county-courts, granted considerable quantities of land on the west side of the bay, as far as Upland, (now Chester,) reserving a quit-rent of one bushel of wheat for every hundred acres. In this situation the government continued until a war between the English and the States General comenced, in which the whole country being retaken, became again subject to the Dutch; but their possession was of short duration; for at the termination of the war in 1667, it was agreed at the peace of Breda, that the New-

Netherlands, then supposed to include the Delaware colony, should be exchanged for Surinam, a province of Guiana, in South America, and thus restored to the English. This article of the treaty was considered at the time, as very disadvantageous to the British government. The value of Surinam was estimated much higher than all that tract of country which now includes the States of New-York, New-Jersey, and Delaware. This was then viewed as a principal part of the disgrace attending the peace of Breda, which closed a war in which the national character, for bravery, had shone out with lustre ; but where the misconduct of the government was no less apparent.

“ From the restoration of this country in 1667, until the administration of Mr. Dennis, in 1682, the counties of New-Castle, Kent, and Sussex, were held as an appendage to New-York ; of course the public affairs of the colony were conducted nearly as they had been previously to the capture of the country by the Dutch. Sir Edmond Andross now governed the duke’s territory, and exercised jurisdiction on both sides of the Delaware. His arbitrary impositions began to make his government and his character odious ; the inhabitants remonstrated against his conduct ; but their efforts proved ineffectual.

“ The title of the Duke of York to the New-Netherlands, depended on a grant from the crown, dated the 12th of March, 1663-4. [*See N. York.*] In the duke’s settlement of the country, and forming the government under his grant, the Delaware colony was included, as it was then supposed to be a part of New-Netherlands. This idea seems to have originated and to have been continued by a kind of voluntary deception, or rather from views of direct encroachment and usurpation. The very words of the grant are in direct opposition to such an extension of claim or jurisdiction. When William Penn, in 1680, petitioned the crown for the grant of Pennsylvania, in con-

sideration of a large debt due from the public to his father's estate, this question naturally presented itself, and was fully discussed. The petition was referred to the Lords Commissioners of foreign plantations. From the importance of the subject they chose to submit it, on the 8th of November, 1680, to the consideration of the Attorney-General; and his report to them, on an examination of the subject was, "that the patent granted to his Royal Highness the Duke of York, was bounded westward by the east side of Delaware Bay." [*See N. York.*] In the year 1685, this question received a more formal adjudication, when upon Lord Baltimore's opposition to William Penn's settlement under his grant, it was brought before a committee of the privy council a second time, and after a full argument and examination, their lordships reported among other things, "that they did then adjudge the land then called Delaware, to belong to his majesty."

"In the settlement of the Delaware colony, under two deeds of feoffment from the Duke of York, in 1682, William Penn became involved in a territorial contest with Lord Baltimore, which eventually became expensive, tedious, and troublesome to the representatives. The dispute was terminated in 1685, by an order "that for the avoiding of all further differences, the tract of land lying between the river and bay of Delaware, and the eastern sea, on the one side, and the Chesapeake Bay on the other, be divided into two equal parts, by a line from the Cape Henlopen to the 40th degree of north latitude, and that one half lying between the Bay of Delaware and the eastern sea, belong to his majesty, and the other half remain to the Lord Baltimore, as comprised within his charter." This decision was founded upon the principle that the king was deceived in his grant; that Delaware colony came within the exemption to which the patent was restricted, as that part of the country was proved to have

been previously possessed and settled by the Swedes and Dutch.

“Immediately after the deeds of feoffment were executed, agreeable to contract, between the Duke of York and William Penn, the latter assumed the government of the Delaware colony, in affairs of legislation, and connected it with Pennsylvania. After the union of the province and the three lower counties, the representatives held their first session at Upland, (Chester,) on the fourth day of the tenth month, 1682. [*See Pennsylvania.*] They enacted a law confirming the union, and delineating the particulars of the plan which was adopted. By this act, all the privileges, and advantages before granted to the province, were extended to the colony of Delaware. They were from that time to be considered as the same people, and subject to the same laws. The freemen, both of the province, and of Delaware were summoned to attend this assembly *in person*, but they chose to elect twelve members from each county, making in the whole 72, the precise number, which by the frame of the government was to compose one house only. The representatives were accompanied with petitions to the governor, importing “that the fewness of the people, their inability in estate, and unskilfulness in government, would not permit them to serve in so large an assembly; and therefore it was their desire that the number now returned from each county, might serve both for Provincial Council and General Assembly, with the same powers and privileges, which by charter were granted to the whole. The members were accordingly distributed into two houses; three out of each colony made a council, consisting of eighteen, and the remaining part formed an assembly of fifty-four.

“In the settlement of this country, under the government of William Penn, the lands were purchased, and not forcibly taken from the natives; with whom it was observa-

ble that every new purchase considerably enhanced the value of the land ; but the practice of contracting with the natives for lands on which settlements were made, is by no means peculiar to William Penn ; previous to his coming into Delaware, the Dutch had practised the same ; and large purchases had been made of the Indians in America, particularly in Massachusetts. [See *Pennsylvania*.]

“ During the time of William Penn’s residence in his own province, the administration of the government was conducted wisely and properly ; the council and the assembly were in harmony, but when his controversy with Lord Baltimore called him to England, (in less than three years after his arrival in the province,) it soon lost the benefit of his personal assistance, and the repose of government was of short duration. On William Penn’s leaving the province, we find disorders arising in every department of government. A certain Mr. Moore, a chief in the proprietary’s administration, was impeached by the assembly before the provincial council. He was represented in an address to William Penn, “ as an aspiring and corrupt minister of state.” Mr. John White, a representative from Delaware, and who signed the address as speaker, was soon arrested and committed to prison, and by a variety of artifices, the granting a *habeas corpus* was evaded. There being no steady hand to hold the balances between the council and the assembly, they soon fell into a controversy, in the construction of their respective powers and privileges, and there had like to have been a very serious contest between the assembly and the proprietary, on his requiring from them a dissolution of their frame of government. At the time of William Penn’s departure, he had committed the administration of the government into the hands of five commissioners of state, taken out of the provincial council, who were to preside in his place.

Soon disgusted with their disputes, and with their mode of conducting business in his absence, the proprietary removed the five commissioners from authority, and appointed for his deputy, John Blackwell, an officer trained under Cromwell and completely versed in intrigue. He commenced his administration in December, 1688, by a display of unauthorized powers, and endeavoured to sow discord among the people.

“ Misfortunes now seemed to crowd upon William Penn, both in his own government and in England. In about six months after his arrival, the death of Charles II. brought James II. to the throne ; a prince to whom he had been particularly known, as well as particularly attached ; if not from principle, at least by obligations. A variety of circumstances induced pointed suspicions against the proprietary ; such as his taking lodgings at Kensington, near the court ; his aiding the king’s outrageous attack upon Magdalen College ; his writing a book, at this critical period, on the liberty of conscience, and his defending the Duke of Buckingham, all conspired in raising a prejudice against him, *as a court sycophant*. After the abdication of James II. in 1688, both the province and its proprietary fell under the displeasure of the crown ; their laws had not been presented for acceptance ; and the new king and queen had not been proclaimed in the province, for a long time after their accession ; but the administration of the government had been continued in the name of the exiled monarch. At what time the change was made is not certain, but in the year 1692, the government was assumed by the crown, and Colonel Fletcher, governor of New-York, was appointed to administer the government of both colonies. [*See Pennsylvania and New-York.*] In the latter end of the year 1693, on a hearing before the king and council, he was acquitted, and his government restored. After the restoration of the proprietary, Wil-

liam Markham was appointed lieutenant-governor; and in the time of his administration, in 1696, another frame of government was proposed and adopted. This continued to be the constitution of Delaware, as well as Pennsylvania, during the whole time of their union in legislation; for when the next charter was accepted by the province, in 1701, it was totally rejected by the members of the three lower counties, and immediately a breach ensued, which eventually terminated in an entire separation.

“ This does not appear to be the result of political caprice; but the result of an entire change which had taken place between the principles of the first constitution, and this new charter. The people had no longer the election of the council; they were to be named by the governor, and were to serve upon his terms. Instead of having but three voices in seventy two, he was left single, in the executive, and at liberty to restrain the legislature, by refusing his assent to their bills. Other articles also were much to the advantage of the people, yet they were decided in their choice, and thus avoided much altercation and political disorder. The repose of the counties of Delaware remained undisturbed for many years, until the old proprietary controversy was revived: then the claimants became warm, and engaged, until the weight of anxiety, expence and trouble, compelled them to settle and adjust all their differences by commissioners, May 1732.

“ From several other circumstances, as well as delays on the part of the Maryland proprietor, the execution of those articles, and the decree thereon, were postponed, until they were superseded by another argument between Frederick Lord Baltimore, son and heir of Charles Lord Baltimore, and the proprietaries of Pennsylvania, which was made on the 4th of July, 1760, and was likewise confirmed by decree, March 1762. These articles and decrees were immediately put in execution. The commissioners ap-

pointed by the several proprietaries, were fully authorized, and surveyed the several lines as mentioned and described in the agreement; designated those lines by visible stones, pillars, and other land-marks, and made a return thereof under their hands and seals, with an exact plan or map of their work annexed; but, from several causes, there never was a complete change of jurisdiction, until the proclamation of William Penn, for that purpose, on the 8th of April, 1775. This was finally carried into operation, the laws extended, and the boundaries of the counties and hundreds, established by an act of Delaware legislature, passed the 2d day of September, 1775."

By this sketch we have brought forward the history of Delaware down to the commencement of the war of 1774-5. We will now bring forward the history of New-York to that period.

CHAPTER XV.

NEW-YORK CONTINUED.—RISE AND PROGRESS OF NEW-YORK, FROM THE REVOLUTION OF 1688-9, TO THE COMMENCEMENT OF KING WILLIAM'S WAR, 1690.

WE have noticed in our last the administration of Gov. Dongan, down to the revolution of Col. Leisler, under the government of King William and Queen Mary, 1688-9. We will now renew and carry forward the history of New-York, down to the war of 1690.

As soon as Col. Leisler had made himself master of the fort at New-York, he sent out an address to King William, announcing the event, and expressing the strongest assurances of his loyalty and zeal. Pending the issue of this address, Leisler held the fortress; but Col. Bayard, and Courtland, the mayor of the city of New-York, put themselves at the head of an opposition, and retired to Albany to strengthen their party, and if possible exclude Leisler from the government of the colony. To counteract such an opposition, Leisler instituted a council of safety, composed of men of the first distinction, to support and strengthen his party as well as his government. At this time Col. Nicholson received from his majesty the appointment of "lieut. governor of the province of New-York, until further orders." This commission came into the hands of Leisler, in the absence of Col. Nicholson, and he assumed the reins of government, selected his council, and issued all commissions for the government of the colony. An opposition had arisen to the government of Leisler, at Albany, and upon the eastern part of Long-Island; the latter soon complied, but the former made a firm stand; determined to resist the usurpation, and hold the fort at Albany for King William: here the parties were at issue, and the consequences became serious. The citizens of Albany formed a conven-

tion, who drew up and published a manifesto, in which they announced their designs, with their reason for holding the fort and city of Albany in their own hands, in trust for his majesty, until further orders, and thereby excluding Leisler from the government of this county, &c.

Fired with the zeal and spirit of the cause in which they were engaged, both parties entered with spirit into such measures as they deemed most expedient to support their cause. Leisler commissioned Col. Milbourn to repair to Albany with an armed force, and reduce the fort and city to obedience to his government, and at the same time the convention sent Mr. Livingston into Connecticut, to solicit aid of that colony, under the cover of resisting a French invasion.

Col. Milbourn repaired to Albany, and held a conference with the convention, and at the same time hoped to be able to seize on the fortress by surprize; but Col. Schuyler had raised an armed force for the occasion, and reinforced the garrison.

Milbourn closed his conference with the convention, without obtaining their submission, and retired; drew up a small body of troops, and advanced to the fort; but when he found the garrison firm and determined, he prudently withdrew, and abandoning the enterprize, returned to New-York, where he passed the winter. In the spring, he took advantage of a savage invasion upon the frontiers, and repaired to Albany again with an armed force, seized on the fort, and rioted in the spoils of his enemies, by expelling the members of the convention, confiscating their estates, &c. Thus the revolution in New-York was effected, and tranquillity restored.

The New-England colonies being at this time involved in an Indian war, which extended in its effects to the Five Nations, were led to appoint commissioners. to unite their

efforts to engage the Five Nations, in a treaty of amity and alliance, at a conference to be held at Albany in Sept. 1689.

The parties met, agreeable to appointment, the treaty was held ; the Indians agreed to co-operate with the English against the French, but declined hostilities against the eastern Indians, and the sachem who was the orator of the day, (after having repeated verbatim the speech of the commissioners the preceding day,) closed his address in the following words :—

“ We promise to preserve the chain inviolably, and wish that the sun may always shine in peace over all our heads that are comprehended in this chain. We give two belts ; one for the sun, and another for his beams. We make fast the roots of this tree of peace and tranquillity, which is planted in this place. Its roots extend as far as the utmost of your colonies ; if the French should come to shake the roots of this tree, we would feel it by the motion of its roots, which extend into our country. But we trust it will not be in the governor of Canada’s power to shake this tree, which has been so long, and so firmly planted by us.”

The success of this commission secured the neutrality of the Five Nations at least, and so far answered their expectations, and the New-England colonies were left (as has been noticed) to carry on the war with the eastern Indians.

The success of the Five Nations in their late invasion of Canada, together with the failure of the grand expedition from France in 1689, for the reduction of New-York, together with Boston, and all the New-England colonies, gave great strength and confidence to the government of New-York, and led them to triumph over the defeat of their enemies.

De Nonville, whose disgrace we have witnessed, returned to France, and carried out the black catalogue of disasters to that haughty and imperious court, and left the command of Canada in the hands of the Count de Frontenac. The character and conduct of this officer, we have had occasion fully to notice in the first volume, in the New-England wars with the Canada Indians. We will now pursue his character in connection with the colony of New-York, and the five confederate nations of Indians, who dwell upon the northwestern frontiers of New-York, and bordering upon Canada. But before we enter upon the scenes before us, it will not be uninteresting to insert a sketch of the history of these Five Nations.

A SKETCH OF THE HISTORY OF THE FIVE NATIONS.

We have already noticed the local situation of these nations, their relative connection with each other by their bond of union, or grand confederacy; and before we continue their history, it will be proper to observe, that by the Dutch they were called Maquaas, by the French Iroquois, and by the English, the Five Nations until they received into their confederacy the Tuscaroras; a tribe which was driven off by the English, from the frontiers of North-Carolina in the year 1712. After this union, the confederacy acquired the name of the Six Nations, by which name they continue to be known amongst the English.

The Five Nations before they confederated into Cantons, dwelt in Lower-Canada, upon the waters of the St. Lawrence, not far from Montreal; but in their wars with the Algonquins, a powerful and warlike tribe, then the most numerous in Canada, they were driven from their habitations, to take shelter in the forests of the great lakes, and upon the waters of the small lakes, lying west of Albany.

When this revolution took place, and when they confederated under their present league, is not correctly known ; but most probaly, at the time of their expulsion ; and for mutual aid, support, and defence. Each of these nations consists of three families, distinguished by the hieroglyphical name of the Tortoise, the Bear, and the Wolfe.*

These Indians are noble draughts of nature ; war and hunting are their chief employment ; in these they possess great art, and stratagem, as well as fortitude, perseverance, and resolution. Such are their notions of military glory, that it is the chief idol of their homage ; to acquire this, they are ready to make every sacrifice, to endure every fatigue, privation, and distress, and even to exult in the most severe and painful tortures their enemies can possibly inflict, and thus triumph over their enemies, by rehearsing in their songs their success in war, the scalps they have taken, the chiefs they have slain, and the captives they have tortured, and all this under the painful operations of being disjointed, having their nails and teeth extracted, being roasted or flayed alive, and their sinnews distended, and even twisted off with hot irons. All these, with many others too numerous as well as too horrid to relate, they endure, with the song of triumph and the smile of contempt and indignation ; thus they express the high and exalted views they possess of fortitude and military glory.

Wealth with these, as well as all other natives of North America, consists in being always happy with what they possess, and in having but few wants. Although they

* Hieroglyphical names are common to the Indians, and when they trade by opening an account, as is common, every Indian sketches on a piece of smooth bark, (commonly birch,) the figure of the animal or object, expressive of his name, and marks down the sum of his account in the number of martin skins it contains, this being their standard coin ; as the English count in pounds, guineas, or dollars, and thus he is always accurate, and the traders can never cheat him.

have no regular police, or system of government, yet their uniform habits form a strong bond of union, sufficient to defend their rights from an invading enemy, or to punish their enemies by carrying war into their own country and villages. The freedom of the chase gives an expanded energy to their minds, which perhaps is not known or enjoyed in any other society than that of the savage state, and hence the reason why the savage is more impatient under confinement, or controul, and even under labour, than any other class of people; the latter they will not submit to when free, and unrestrained, and perfectly at leisure; even to supply their own wants; but place the burthen of labour upon the squaws, as being below their dignity as men.

Although they have no written laws, yet their customs that regard the regulation of their national affairs, are conducted with a degree of method and propriety, that would do honor to most civilized communities.

Each tribe is governed by a chief or sachem, who exercises absolute power, by and with the advice of the elders, or old warriors of the tribe; and yet he maintains this supremacy, by not only consulting the aged; but upon occasion, the young also, and thus his dominion is founded in the esteem, respect, and even affections of the tribe, and thus his power consists in his being able to unite and concentrate the strength of the whole at one time, and upon one object. This popularity is first acquired by great exploits, and then maintained by wisdom, prudence, and virtue alone. Thus the most valiant in war, and the most wise in council, and the most virtuous in life and conversation, become chiefs of these tribes, *and in fact of all the other tribes.* The glory of the father gives a preeminence to his son, and fixes a general partiality; but does not make him sachem by hereditary right, unless his other qualifications are equal to that

high station ; it then gives him a preference ; and the force of example in the father has a most powerful influence in fixing the character of his son ; and inspires him with a noble emulation in pursuit of glory and fame, by his noble deeds.

The chief of each tribe, with his council of ancients, compose the high court of the tribe, who hear and determine all complaints, and redress all wrongs ; not by executive officers ; but by the weight, or strength of public opinion ; and to resist this would be deemed infamous. As merit is their only standard of preferment, and merit neither promotes, nor is ever seen at the head of factions ; so they are always free from this general curse of civil society, whose main springs are, avarice, ambition, and power.

Onondaga, may be stiled the capital, or seat of government in these cantons, because the great council of the confederacy always is held there ; and the voice of this council alone has power to bind the confederacy.

The French have for a long time used all their powers of art and intrigue, to subdue the Five Nations, by dividing their strength, and thus dissolving the confederacy ; but they have never succeeded further than to draw off a few particular families, who have retired into Canada. The virtue, wisdom, and firmness of this confederacy, has hitherto withstood all the arts of French intrigue.*

Their manner of constructing their villages, as well as their habits of life, shew that their wants are few, and like their government simple, and easily supplied. An Indian's house or wigwam is but little higher than his head, constructed by setting up barks in winter, and brush in summer, in a slanting direction, with the tops resting against an extended pole, and the bottoms upon the ground : this

* Which of the civilized nations can say this ?

pole being supported upon two crotches, or stakes fixed upright in the ground, of the length designed for the height, say ten or fifteen feet ; an opening at one end serves for the door, and an aperture upon the top serves for a chimney, and the centre of the wigwam serves for the hearth ; for their fire is always kindled upon the ground—the ground also serves for their bed, and their blanket for their covering : thus they sleep with their feet to the fire, like so many radii extended in a circle. Each village or collection of huts, has a square residence termed a castle, surrounded by pallisadoes, or strong stakes fixed firm in the ground, where they lodge their old men, and in time of war, their women and children ; where also they secure their corn. Thus planted down, they are the merriest, happiest creatures in the world. In summer the squaws, with the children, till the corn and dress the food, clad like the men with a mantle over their shoulders, with such other light covering as decency requires ; whilst the men and larger boys, hunt, and fish, and smoke, and thus they spend their time ; but care, corroding care, never enters their heads, their hearts, nor their dwellings. In winter they wear stockings upon their legs, and moccasins made of deer skins upon their feet ; and with their snow-shoes they traverse the pathless desert, and mount over the deepest drifts of snow with no other impression, than barely to skim along the surface. Their women are fond of ornaments, and often plait their long black hair, and decorate their arms with clasps or bracelets of silver, and even of tin, when silver is wanting ; their ears and noses with jewels of such metals, for ornaments, as they can readily procure. Both sexes, but more particularly the men, are taller and straighter than the English, with small black eyes, long coarse, and always straight black hair, remarkably well proportioned, with one uniform olive, or tawny complexion. When they have a choice of food, venison is generally

preferred ; but bears, as well as wild game generally, are eaten with a relish. When hunger presses, they are not wont to refuse dogs, and even snakes, neither do they regard their cookery, raw or roast, 'tis all the same to them. When an Indian enjoys a full meal, he unties his belt, and eats voraciously, and as this is consumed by digestion, if he finds not another in several days, he supplies the place of food by drawing his belt close, occasionally, with a new knot ; and thus he can endure hunger, without becoming faint. This to them, is an inestimable privilege, especially in time of war. They roast their food by placing it erect, before the fire, upon a sharp stick, and change the sides as occasion may require. They are noted for their friendship as well as for their enmity, and particularly for their hospitality to strangers. They are also noted for their constancy, either as wives or husbands ; and they do not admit of polygamy ; but they dissolve the marriage tie, whenever the parties may agree ; yet they are reputed to be both pure in their manners, and chaste in their morals, and deportment.

The squaws raise the children, and keep the records, and thus become the organs of tradition ; yet the men often assemble to converse, and recount over their exploits, and thus stimulate the ambition of each other, as well as perpetuate the remembrance of events. These conversations serve also as schools of military glory for the young men, who listen to the warrior's tale, catch the martial spirit of his eye, and fired by the spirit of his manly gestures, long to act the same.

Formerly their instruments of war were the bow and arrow, and the war-club ; instruments also of the chase ; but now since they have become acquainted with the Europeans, they use the musket, knife, and tomahawk. Their boys still use the bow and arrow, and such is their dexterity, that they will hit an English shilling five times in ten at

a distance of ten, fifteen, or twenty yards. Such is the Indian's dexterity with his hatchet, that he will throw it at the distance of ten or fifteen yards, and strike the edge into a tree, and rarely miss his object. Thus much for the days of peace ; but war is the great object of an Indian's life ; their forms and ceremonies that relate to war, strongly mark the ferocity of their natures.

When war is undertaken, the warriors assemble in council with their chief ; the subject is discussed, and the question determined, generally by the old warriors, which being fixed, each one begins his preparation by painting himself in the most frightful, and hideous manner ; and then begins to sing his deeds of valour, and those of his ancestors, and thus they infuse a martial spirit into the young, and fire each other with a thirst for glory. This war dance is always attended with feasting, and often their feast is dogs' flesh, that they may partake of the fierceness as well as the sagacity of that animal. The dance being ended, they often paint the plan of the expedition upon the smooth surface of a large bark, or the surface of some tree recently peeled, so as to denote not only the manner of attack ; but the nation to be attacked. Such are the ceremonies that precede an expedition ; those that accompany a return are no less peculiar. The day before the warriors enter their village, two heralds advance, and at a distance halt, and commence a most hideous savage yell, which by its particular expressions of sound announces the success of the enterprise, whether good or bad. If the heralds announce success, the village is alarmed, and an entertainment is provided for the conquerors, who advance with a firm and manly step ; the leader bears the scalps, each stretched upon a bow, and raised upon a pole. The boldest warrior is dispatched from the village to receive the scalps, and flies to the hut from whence he came, to bear them to his companions ; the warrior follows swift as

an arrow in its flight ; if he overtakes the flying messenger then he robs him of his meed of praise ; but if not, then the flying messenger is admitted into the number of the victors, and shares with them the glory. The warriors follow with their wonted firm majestic pace, and as they enter the village, their wives and children, amidst the attending villagers, bid them welcome, with silent admiration, and the profoundest reverence. A feast is then got ready, of which they all partake in silence ; this being ended, one warrior, by appointment from amongst the conquerors, stands for the orator of the day, and relates the whole adventure ; not one question yet is asked ; and then a savage dance concludes the joyous scene.

Their mode of war is ambush, stratagem, and surprise ; they never face their enemy, unless in desperate cases, and then not often long. Their sagacity in following their enemy's track, unless upon a rock, or in the water, is very great ; they will not only discover his route, but his numbers, and the rapidity of his movements, by the traces of his steps in the grass, sand, or snow. Women and children, when taken, they generally kill and scalp ; but the warriors are reserved for those tortures, which are the triumphs of revenge, and the subjects of their own exultation, when doomed to suffer under the tortures of their enemies. Sometimes the warrior prisoner is received into the family of some one whose friends are lost in war, and adopted in their stead ; then all possible kindness is used to attach the stranger to the family interest, and make him love, respect, and cherish his new friends. His presence and his enjoyments are held as dear, and his blood as sacred as those of their departed friend, and the smallest violation of the one, would be considered equally ignominious with the other.

Thus much of war. When peace is their object, the Indians send a messenger with a pipe, the bowl of which,

made of red clay, is fixed upon a stem made of a long reed, richly painted, and ornamented with gay plumage. With this he finds a safe passport through hostile tribes, in quest of a distant enemy, and when he finds him, proffers him the calumet of peace, and tells his terms ; if they are good, both smoke the pipe ; war ceases ; and peace and friendship are again restored. This calumet is the symbol of peace common to all the Aborigines of North America, except the Flat-heads ; and in order to bring them under its all-commanding influence, the Five Nations waged against them a thirty years' war.

The language of the Five Nations, like all the Indian languages of North America, is a strong, nervous, forcible, guttural language. The solemnity as well as gravity of its tone, depend altogether upon the generosity of its feet, as may be seen by the following Lord's prayer, in their language.*

“ Soūngwāūnēhă, cāuroūnkŷāwgā, tēhsēētārōan, sāuhsōnēyō-ūstă, ēsă, săwănēyōu, ōkēttāūhsělă, ēhnēāūwōung, nă, cāuroūnkŷāwgă, nūghwōnshāūgă nēättēwēhnēsălāūgă, tāugwāunăutōrōno-ăntōūghsiēk, tōāntaūgwēlēēwhēyōustaūng, chēnēēyēut, chăquătă-ută ēbwhēyōūstăūnnă, tōūghsaū, tāugwāussărēnēh, tawăutōttiē-ău-găloūghtōūnggă, năsāwnē, săchēăutāūgwăss, coăntēhsă ōhāunz-ăīckăw, ēsă, săwăūnēyōū, ēsă, săshăutztă, ēsă, soūngwăsoūng, chēnăēăūhăūngwă, āuwēn.”

The terminations of these Indian verbs never change, as in the languages of the Hebrew, Greek and Latin ; but all the mutations are prefixed, and they have also a dual as well as a singular and plural. The guttural aspirations necessary to the articulation of this language, as well as the great length of its words, renders it both harsh and difficult ; but the dialect of the Oneidas is much softer

* The radicals of the Five Nations are all the same.

than the others, because they have more vowels, and supply the places of harsh letters by liquids.

Nature has made the savages all orators ; but all are not equally so, as it was with Greece and Rome, some excel. Method is the great organ of their oratorical strength ; by the means of this they accustom themselves so to arrange whatever speech or address they hear and expect to answer, with such nice accuracy and order, as to be able to repeat the whole the next day. When they speak, either by the way of address or reply, they articulate with surprising force and emphasis, as well as with great ease and propriety of gesture. The fierce countenance of the speaker, his flowing blanket, elevated tone of voice, his naked arm, and erect position, in the centre of a half circle of auditors, all seated on the ground, are all calculated to impress upon the mind strong ideas of that force of eloquence, by the power of which Demosthenes ruled Greece. Whenever the orator wishes to enforce any particular part of his speech or address, he makes a pause, and gives a belt of wampum, with some emphatic expression, as *this*, or *this belt, keeps, or preserves my words, &c.*

The religion of these Indians consists not in rites, or modes and forms of worship ; but the great outlines of the moral law are written upon their hearts, and enforced upon their lives, by custom and habit. They believe in two supreme Deities, the one good, and the other evil ; and they often invoke them according to time, place, and circumstances. They have clear notions that their God regards favourably all their virtues, and frowns upon their vices, and they attribute many, if not all their calamities to the influence of the evil Deity, and perhaps their notions of a special Overruling Providence are as clear and correct as those of the mass of civilized man. All their notions of God are material, and they suppose him to be concealed in some inaccessible mountain, swamp, &c. and

as such they often worship him, and some tribes of the natives sacrifice to him; but idolatry and sacrifice have not been discovered amongst the Five Nations. Strong and fierce as is the savage mind, it is susceptible of tender impressions, and like the human mind at large, delights most in that which pleases it best, and is most for its interest; but the savage has no negative passions, they are all positive, strong, and powerful; could he be led to believe that christianity would be most for his interest and happiness, he would become a zealous christian; and could he be once impressed with the influence of that Divine Spirit, whose inspiration is the christian's life and love, joy and hope, he would become an enthusiast, and his feelings and passions would glow with that warmth and strength, which they now express in those scenes where the dim light of nature guides. For man to change the savage heart, and habits, without the immediate agency of God, is more than man has a right to expect; but that man should offer himself as an instrument, and look to God for his blessing on the means, is what God has a right to expect, and what man cannot with impunity deny. The command is, "Go preach the Gospel to every creature; whether they will hear or whether they will forbear." "Freely ye have received, freely give." God has promised to his Son "the heathen for his inheritance, and the uttermost parts of the earth for a possession," and he will assuredly accomplish his promise. The following extract from a note in Smith's History of New-York, will confirm my remarks.

"All the Scotch missionaries are among the heathen, and their success has been sufficient to encourage any future attempts. There is a regular society of Indian converts in New-Jersey; and it is worthy of remark, that not one of them has apostatised into heathenism. Some of them have made such proficiencies in practical religion, as

ought to shame many of us, who boast the illuminating aids of our native christianity. Not one of these Indians has been concerned in those barbarous irruptions, which have lately deluged the frontiers of the southwestern provinces, with the blood of several hundred innocents, of every age and sex. At the commencement of these ravages, they flew into the settlements, and put themselves under the protection of the government. These Indians no sooner became christians, than they openly professed their loyalty to King George ; and therefore to contribute to their conversion, was as truly politic, as nobly christian. Those colonies which have done most for this charitable design, have escaped best from the late distressing calamities. Of all the missionaries, Mr. David Brainerd, who recovered these Indians from the darkness of paganism, was most successful." [See the *Life of Brainerd*.]

The several expeditions from Canada against the Five Nations have been noticed, particularly the disgraceful enterprise of De la Barre and De Nonville. We will now pursue their history in connection with the history of New-York.

CHAPTER XVI.

NEW-YORK CONTINUED.—RISE AND PROGRESS OF NEW-YORK,
FROM THE COMMENCEMENT OF THE FRENCH WAR OF 1690,
TO THE DEATH OF THE EARL OF BELOMONT, 1701.

IN our history of New-England, in the first volume, we have had occasion to notice the particular influence, the wars in Europe produced upon the American colonies, and the intrigues the French were in the habit of practising amongst the Indians, to engage them in their service, for the purpose of ravaging the frontiers, and checking the growth and prosperity of the rising colonies. We have already witnessed the sufferings of New-England; we shall now have occasion to witness more particularly the influence of these wars upon the Colony of New-York.

When De Nonville, Governor of Canada, returned to France, he carried out with him the disgrace of his arms against the Five Nations, and the distresses which he had brought upon Montreal, by the ravages of the Five Nations, to revenge the expeditions of De La Barre and De Nonville. These calamities, added to the loss of that powerful armada France had fitted out at the same time, to reduce the colonies of New-York and New-England to her dominion, gave not only relief, but strength and confidence to the American colonies; and defeat, disgrace and depression to France. To recover these misfortunes, France entered with zeal and spirit into the war with England, and at the same time sent out Count Frontenac, a man 68 years of age, full of experience, and exactly fitted to serve the best interest of the king his master, (then Lewis XIV.) De Nonville had taken out with him to France, several Indian warriors of the Five Nations,

who were introduced at court, and taught to admire the splendour of that monarch, whose interest it had become to persuade them that he was the richest and most powerful monarch in the world. Full of the ideas of the riches, splendour, and power of the grand monarch, these warriors returned to Canada with the new governor, and were dispatched by him into their own country, to blaze abroad the mighty wonders they had seen, and assemble a grand council to make peace with the French. Count Frontenac had great confidence in this measure, and the Indians were true to their mission. A grand council was assembled at Onondaga, on the 22d day of January, 1690, consisting of eighty sachems, and the chief of the Onondagas opened the council with a speech that breathed nothing but the strongest disposition for peace with the French: this disposition, supported by the influence of a French Jesuit, gave such alarm to the English, that it became necessary to exert all their influence with their friends, amongst the Five Nations, to defeat the treaty. To give new force to the French influence in this council, Count Frontenac attempted to recover the disgrace that De Nonville had brought upon Canada, by giving some eclat to his arms, as well as to depress the English interest. To effect these objects he let loose the savages of Canada upon the defenceless frontiers of New-England, as has been noticed, and at the same time commenced an attack with another force of French and Indians upon Albany, and the northern parts of the Colony of New-York. This, like the grand armada, was a bold and extensive plan, and promised great success. The expedition against New-York, consisted of about 200 French, and a party of Caghnuaga Indians, who being proselytes from the Mohawks, were well acquainted with the country. Albany was the object of this expedition; but the Indians turned aside and surprised Schenectady,

in the depth of winter, after a march of 22 days, in which they suffered every possible distress; they entered this village at dead of night, when the unsuspecting inhabitants, in the midst of security, were buried in sleep. In this dark scene of repose, the slumbering inhabitants awoke amidst the flames of their dwellings, and the shrieks of death; old men and maidens, young men and babes, all lay mingled in one confused mass, weltering in blood, and gasping in death; no age, sex, nor condition could stay the ruthless knife, or avert the impending hatchet; even the unborn infant was hurried into life by the knife of the murderous savage, to perish a victim to the flames. The flames of their dwellings, the yells of the savage, the shrieks and groans of the dying, all added to the awful solemnity of the horrors of a dark, dreary winter's night, exhibited a scene too awful for language to express, or imagination to conceive of. Glutted with revenge for the ravages which Montreal had suffered, the savages plundered the village until noon of the following day, when after a general slaughter of all such horses and cattle as they could not remove, they hastened with their booty to return to Canada. This massacre, distressing as it was, served no other purpose than that of revenge; the Five Nations continued faithful to the English, and the Mohawks joined in the expedition from Albany to pursue and harass the enemy, as well as to recover the captives and the spoil. In this enterprise, several prisoners were recovered, many of the fugitive murderers were either killed or taken, and some spoil was retaken. The Five Nations sent a deputation of several of their sachems down to Albany, to offer the citizens their friendly condolence, and to press them not to abandon the country, but to defend the settlement. The following extract from the speech of the head sachem, upon the occasion, will express the feelings of the Five Nations.

“Brethren, we do not think that what the French have done can be called a victory; it is only a further proof of their cruel deceit. The governor of Canada sent to Onondaga, and talks to us of peace with our whole house; but war was in his heart, as you now see, by woful experience. He did the same formerly at Cadaracqui, and in the Senecas' country. This is the third time he has acted so deceitfully. He has broken open your house at both ends; formerly in the Senecas' country, and now here. We hope however to be revenged of them.”

They were faithful to their assurances; they returned home and reported their message, and the Five Nations expressed their indignation; first by the contempt they shewed to the French messengers, then in their country; next by delivering them up to the English at Albany. They next opened a predatory war upon the borders of the French, and cut off a party who had advanced about 120 miles above Montreal, on their way to Michilimakinak; to defeat a treaty then concluding between the Utawawas, Quatoghies, and the Five Nations. One of the prisoners taken from the Five Nations in this action, was delivered to the Utawawas, who ate him.* This kindled the torch of war into a flame. The confederates directed their path down to Montreal, and ravaged the country with fire and sword; killed, burnt, and destroyed all in their route, and returned glutted with revenge.

This year was rendered memorable by the failure of the expedition against Quebec, under Sir William Phips, as has been noticed under New-England, 1690.

In the midst of these scenes, Colonel Henry Sloughter was appointed to succeed Leisler in the government of this colony, and in March, 1691, he arrived at New-York,

and published his commission; but Leisler who had the command of the fort, held it in bar of the new governor's power, and held in confinement, at the same time, Bayard and Nichols, whom he also refused to deliver up to the governor. Governor Sloughter joined the enemies of Leisler, and summoned the fort again. Leisler sent out Milbourn and Delanoy to treat. Governor Sloughter seized and imprisoned them, upon which Leisler abandoned the fort and fled. Bayard and Nichols were released, Leisler and his son were apprehended, tried, condemned, and executed for high-treason, and many of their partizans fled into the neighbouring colonies, all which called forth an act of indemnity to settle the peace of the colony.

Governor Sloughter as soon as he found himself seated in the chair, proceeded to call an assembly, by his writs bearing date March 20th, 1691. On the 9th of April, the assembly was convened, and elected James Graham for their speaker. It is worthy of notice that in the qualification of the members before the choice of speaker, all the members from Queen's county were rejected and dismissed, because as Quakers they would not take the oaths directed in the governor's commission. This was the second assembly that had been held in the province; (the first having been held in 1683;) they entered upon a general discussion of Leisler's measures, and by their resolves condemned his whole administration; and approved the proceedings of the governor against him as a rebel; all which opened the way for the assembly to approach the chair with the following address.

“ May it please your Excellency :—

“ We their majesties' most dutiful and loyal subjects, convened by their majesties' most gracious favour, in General Assembly, in this province, do, in all most humble manner heartily congratulate your Excellency, that as in

our hearts we do abhor, and detest all the rebellious, arbitrary, and illegal proceedings of the late usurpers of their majesties' authority, over this province ; so we do from the bottom of our hearts, and with all integrity, acknowledge and declare, that there are none that can or ought have right to rule and govern their majesties' subjects here, but by their majesties' authority, which is now placed in your Excellency ; and therefore we do solemnly declare that we will, with our lives and fortunes support and maintain the administration of your Excellency's government, under their majesties, and against all their majesties' enemies whatsoever ; and this we humbly pray your Excellency to accept as the sincere acknowledgment of all their majesties' good subjects within this their majesties' province ; praying for their majesties' long and prosperous reign over us ; and that your Excellency may long live and rule, as according to their majesties' most excellent constitution of governing their subjects by a General Assembly."

The next step of this assembly was to pass the following unanimous resolve :

"That all laws consented to by the General Assembly, under James, Duke of York, and the liberties and privileges therein contained, granted to the people, and declared to be their rights ; not being served, nor ratified and approved by his royal highness, nor the late king, are null and void, and of none effect ; and also the several ordinances made by the late governors and councils, being contrary to the constitution of England, and the practice of their majesties, in their majesties' other plantations in America, are likewise null and void, and of no effect nor force within this province."

The monies voted by this assembly were made payable to the receiver general, and subject to the governor's or-

der, which placed the purse in the hands of the governor, and not only rendered him independent of the people ; but laid the foundation for after collisions, which will be noticed in their place. They next dissolved the old court of assizes, and established new courts of justice. This act has been also questioned, as will be shewn in its place. They next erected a supreme court of justice, and appointed a chief justice, with four assistant justices, and an attorney-general. Joseph Dudley, Esq. the chief justice, was allowed a salary of 150*l.* per annum, and the first assistant judges had 100*l.* all payable from the public treasury : the other three, with the attorney-general, were allowed no compensation.

A question was discussed before this assembly, “ whether the people have a right to be represented in assembly, or whether it be a privilege enjoyed through the grace of the crown.” The sense of the house was taken upon this question, and an act passed in favour of the former opinion ; but this act was repealed by King William, in the year 1697.

In the year 1692, a son of the late Col. Leisler carried home a complaint to King William, against Gov. Sloughter, for the unjust execution of his father and brother-in-law ; this was referred to the lords of trade, who after a full examination of the subject, reported that the sentence and execution were just, and according to law ; but their lordships at the same time interceded for the restoration of their estates to their families, which the king granted.

Gov. Sloughter about this time repaired to Albany, where he had an interview with the chiefs of four of the Five Nations, (the Mohawks being about to make peace with the governor of Canada,) who renewed their former league with the English ; and Gov. Sloughter returned again to New-York, where he died on the 23d of July, 1691. The government devolved upon the council, and

they appointed Richard Ingolsby their president, who was sworn into office the 26th of July, 1698. This appointment was approved by Joseph Dudley, then in the colony of Massachusetts, although it belonged to him of right.

During this state of things, Major Schuyler assembled a party of Mohawks, and passing down Lake Champlain, commenced an attack upon the French settlements in Canada, where he gained a signal victory over De Callieres, governor of Montreal; killed and took about 300 of the French, and returned in triumph. This successful enterprize inspired the Mohawks with new confidence in the English; broke up their views of treating with the French, and by being kept in active service, attached them firmly to the English interest. To counteract the English connection with the Five Nations, the governor of Canada sought and cultivated the friendship of the Utawawas, by a friendly trade, by protecting their traders with an armed force, and by large presents, both to them and the western Indians, and also delivering up to them two captives taken from the Five Nations, which they burnt. This act of the governor of Canada, inflamed the resentment of the Five Nations to revenge the murder of their brethren. They continued to ravage the frontiers of Canada, until Beaucour, at the head of about three hundred men, entered their country in the heart of winter, and threatened to lay waste their villages, and cut off their communication with the western Indians; but the sachem Black-Kettle, at the head of the confederates, maintained such a firm resistance, that Beaucour and his party were cut off from their communication with the western Indians, and harassed and destroyed so far, that the governor of Canada ordered one of his prisoners to be burnt alive, to revenge on his nation the loss of his army.*

* This torture was the most barbarous of any that has yet appeared in the annals of Indian warfare. They broiled his feet, thrust his fingers in-

Capt. Ingolsby (then president of the council) met the Five Nations in council at Albany the next June, and received from them the following expression of friendship, by one of their chiefs :—" Brother Corlear, we are all subjects of one great king and queen, we have but one heart, one interest, and are all engaged in the same war." But the same Indians reflected on the inactivity of the English, assuring them that their united efforts might easily drive the French out of Canada.

On the 29th of August following, Gov. Fletcher arrived, and the next day he published his commission, and entered upon the duties of his office. Gov. Fletcher brought out an acceptable present to the colony, of arms and military stores, and amunition, &c. This called forth an address of thanks to his majesty from the colony, and a request at the same time that his majesty would graciously take into consideration the great expense they necessarily incurred in defending their frontiers, together with the smallness of their numbers, as well as of their resources, and order the neighbouring colonies to join their aid. (The colony then were about three thousand in number.)

Major Schuyler of Albany had at this time, by his great abilities, as well as active zeal in defence of his country, acquired such an influence over the Five Nations, as not only secured their friendship, but rendered them entirely subservient to his will. Quider, (as they called him,) was the director of all their movements, and thus became very useful to Gov. Fletcher, who was himself a military man. To avail himself of the talents of such a man, the governor raised him to the council board, and thus acquired a knowledge of Indian affairs, both useful to himself and the province.

to red hot pipes, cut his joints, and twisted his sinews with bars of iron. After this his scalp was ripped off, and they poured red hot sand upon the wound. In the midst of all this torture, he sung his military achievements, without interruption, and thus triumphed over his enemies in his death.

When the Count De Frontenac found himself foiled in all his attempts to win over the Five Nations to the interest of France, he resolved to compel them to comply with his measures ; accordingly he collected an army of six or seven hundred men, French and Indians, and furnished this army for a winter's campaign. On the 15th of January, 1693, the army commenced their march for the country of the confederates, in the severity of winter, through a pathless desert, amidst frost and snow, and on the 6th of February this army passed the village of Schenectady ; and they took five men, with several women and children, the same night, at the first Mohawk's castle. They surprised the second castle with the same ease, and advanced in haste to seize the third, where the Indians were engaged in a war dance, to prepare for an excursion the next day : here a conflict ensued in which about thirty French were slain ; but about three hundred of the confederates were captured and carried into Canada.

Enraged with the citizens of Schenectady, for not giving them warning of the approach of the enemy, they threatened them with vengeance ; but Major Schuyler soon appeared from Albany, at the head of his volunteers, and the confederates joined in the pursuit. Major Schuyler next sent an express to Capt. Ingolsby, the commandant at Albany, for a recruit of men and provisions ; on the 17th they overtook the French, and commenced their attacks upon their rear. In this critical moment of famine, (for the troops had been without provisions for several days,) Capt. Syms arrived with both men and provisions, on the 19th ; but the French, under cover of a severe snow-storm, had stolen a march ; Major Schuyler pursued, and after loosing about fifty captives, eighty men killed, and thirty or forty wounded, the French returned into Canada in great distress, both from their losses, as well as the severities of cold and famine. Such was their distress, that they

eat up their own shoes and went barefooted in the midst of frost and snow, before they arrived in Canada. The news of this invasion was announced to Gov. Fletcher in New-York, on the 12th of February. He embarked instantly for Albany, where he arrived the 17th, and the same day repaired to Schenectady, where by his presence and his rapid movement, he supported the confederates, who rewarded him with the appellation of Cayenguarigo, or the great swift arrow.

All things being tranquil, the governor returned to New-York, and in March met his assembly, who cheerfully voted to raise 6000*l.* to support a corps of three hundred men for the defence of the frontiers.

Religion was a subject, as has been noticed, that had not much interested the province of New-York ; but the governor at a former session of the assembly having recommended that they should make provision for the support of a regular ministry, to which they had not attended, now reminded them at this session, of the importance of the measure, as well as of their neglect. The governor was a firm churchman ; but the Dutch, who composed the major part of the people, were Calvinists, upon the plan of the Church of Holland, and of course opposed to the governor's plan. Thus divided, nothing was done, when the governor by the following address at the close of the session, gave them this reprimand.

“ Gentlemen—The first thing that I did recommend to you at our last meeting, was to provide for a ministry, and nothing is done about it. There are none of you but what are big with the privileges of Englishmen, and Magna Charta, which is your right ; and the same law doth provide for the religion of the Church of England, against sabbath breaking, and all other profanity. But as you have not made it last, and have postponed it this session, I

hope you will begin it the next meeting, and do somewhat toward it effectually."

Tidings from Canada now induced the Oneidas to sue for peace with the French, which called the attention of the governor, who met the Five Nations agreeable to appointment, at Albany, July, 1693, where by his rich presents, which had been sent out by the king for this occasion, he diverted the Oneidas from their purpose, and renewed the former treaty of amity with the Five Nations. This conference was closed by the following address from one of the confederate chiefs.

"*Brother Cayenguarigo*—We roll and wallow in joy, by reason of the great favour your good King and Queen have done us, in sending us arms and ammunition at a time when we are in so much need of them, and because there is such a union among the brethren." &c.

The treaty with the French was effected at Onondaga, through the instrumentality of the French missionary, Millet; this address, and the governor's exertions notwithstanding.

In September, Gov. Fletcher met his assembly again in New-York, and James Graham was again chosen Speaker, 1693. The governor in his speech at the opening of this assembly again urged the importance of religion, as may be seen by the following extract.

"I recommended to the former assembly, the settling of an able ministry, that the worship of God may be observed among us; for I find that great and first duty very much neglected. Let us not forget that there is a God who made us, and who will protect us if we serve him. This has ever been the first thing that I have recommend-

ed; yet the last in your consideration. I hope you are all sensible of the great necessity and duty that lies upon you to do this, as you expect his blessing upon your labours.”

The house could no longer resist the pressing zeal of the governor, but met his wishes by appointing a committee of eight, to settle a plan of making provision for a regular ministry throughout the colony, September 12th; they made a report the next day, in the morning; but it was discussed and recommitted from time to time, until the 15th, when it was accepted under a limitation to the several parishes of four counties only; and a bill brought in accordingly: this bill after much debate, was passed on the 19th, and sent up to the governor and council for concurrence; but the governor returned it with an amendment, which vested him with Episcopal powers of inducting every incumbent under these terms, “and presented to the governor to be approved and collated.”

The house resisted this infringement upon their rights, and returned the bill, praying “that it may pass without the amendment, having, in the drawing of the bill, a due regard to the pious intent of settling a ministry for the benefit of the people.”

The governor in his wrath summoned the house before him, and prorogued the assembly by the following address.

“GENTLEMEN,

“There is also a bill in this city for settling a ministry, and in some other countries of the government. In that very thing you have shewn a great deal of stiffness. You take upon you as if you were dictators; I sent down to you an amendment of three or four words in that bill, which, though immaterial, yet was positively denied. I must tell you, it seems very unmannerly. There never was an

amendment desired yet by the council board, but what was rejected. It is the sign of a stubborn ill temper, and this you have also rejected.

“ But, gentlemen, I must take leave to tell you, that if you seem to understand by these words, that none can serve without your collation or establishment, you are far mistaken. For I have the power of collating or suspending any minister, in my government, by their majesties’ letters patent ; and whilst I stay in the government, I will take care that neither heresy, sedition, schism, or rebellion, be preached among you, nor vice and profanity encouraged. It is my endeavour, to lead a virtuous and pious life amongst you, and to give a good example : I wish you all to do the same. You ought to consider, that you have but a third share in the legislative power of the government ; and ought not to take all upon you, nor be so peremptory. You ought to let the council have a share. They are in the nature of the House of Lords, or Upper House ; but you seem to take the whole power in your hands, and set up for every thing. You have set a long time to little purpose, and have been a great charge to the country. Ten shillings a day is a large allowance, and you punctually exact it. You have been always forward enough to pull down the fees of other ministers in the government. Why did you not think it expedient to correct your own, to a more moderate allowance ?

“ Gentlemen, I shall say no more at present, but that you do withdraw to your private affairs in the country. I do prorogue you to the 10th day of January next, and you are hereby prorogued to the 10th day of January next ensuing.”

This speech needs no comment ; the imperious temper of this man overthrew the temple of religion the assembly had erected, because it was not permitted for him to con-

vert it into an engine of power ; but if we take a retrospective view of the proceedings of former assemblies, it will appear that they had been liberal to the governor both as to money and power, and that these religious rights were the first supposed encroachment upon his high prerogative. The treasury itself had been placed under the controul of his check, and every servant of the government was thus placed at the mercy of his *will*, and sometimes of *his caprice*. Before the time arrived for the session of this assembly in January, the governor dissolved them, and in March 1694, he convened a new assembly. Mr. Graham was not chosen from the city as usual, and Col. Pierson was chosen speaker.

Here opens the second volume of Massachusetts ; the governor set up his prerogative, and the house their privilege, and the governor prorogued them to September, when they were again convened ; but they were the same men, feeling the same rights, and determined to exercise them. The house resumed the subject of the state of the public accounts, and entered their formal dissatisfaction of the accounts of the receiver-general. At this time a body of regulars arrived from England, and the governor demanded additional pay, not only for these troops, but for the new levies for the defence of the frontiers ; this fanned the fire, the house voted supplies for 100 men upon the frontiers, and the governor prorogued them to the spring of 1695. Distance of time wrought no change in the feelings of the parties, both had taken their ground, and both were firm. At this spring session of 1695, the house asked leave of the governor to print their minutes, or journal. The house also declared, “ that the vestry men and church wardens have a right to call a dissenting Protestant minister, and that he is to be paid and maintained as the act directs.”

Thus the parties stood, and the governor dissolved the assembly.

The complaints of the volunteers who had served on the frontier, on account of the arrearages of their pay, led the house to call the receiver-general's accounts in question, as well as to vote money with the more caution, notwithstanding the repeated calls of the governor.

Whilst the parties were thus contending, a new scene opened upon the frontier. Count Frontenac, indignant at the refusal of the Five Nations to ratify the peace, determined to take vengeance on the Mohawks, as being the principal aggressors; but changing his plan he sent a party of three hundred men into the forest of the west, to surprise the hunters of the Five Nations, at, and about the Isthmus of Niagara. The enterprise succeeded so far as to surprise and capture several hunters, who were carried down to Montreal, and there burnt. Enraged at this perfidy, the Five Nations took revenge by burning sundry prisoners of the Dewagunga tribe.

The new Indian war spread a general alarm throughout the colony, and roused up the assembly to a sense of their danger; this led them to augment the number of their detachments, and the amount of their supplies.

The governor called another assembly in June; James Graham was chosen speaker; and all their former animosities were now lost in a sense of the public danger. Count Frontenac at this time commenced the repairs of the old fort at Cadaracqui, and the governor announced the fact, together with the king's orders, that the several colonies should furnish their several quotas of men for the general defence, and in the following ratio—viz.

Pennsylvania, 80—Rhode-Island, &c. 43—Massachusetts, 350—Connecticut, 120—Maryland, 160—New-York, 200—Virginia, 240.

The assembly voted to raise the sum of 1000*l*. the one half to be presented to the governor, and the other to be by him applied to the payment of the English officers and soldiers, expressing their wish at the same time, that the colony might be exempted from raising any additional troops at this time. The governor thanked the house for their favourable disposition; but alleged that it was not consistent with his honor to comply with it.

The governor, to continue the harmony of the session, recommended that they should appoint a committee to examine the public accounts, in the recess of the assembly, and report at the next session.

Things being thus amicably arranged, the governor went up to Albany in September, where he met a deputation of the chiefs of the Five Nations, and distributed liberally the presents sent out by the king, blaming them at the same time, for tamely suffering the French to rebuild their fort at Cordaraqui.

At this critical moment the Dionandides, a fierce and warlike tribe, who dwelt near to Misilimakinak, made overtures of peace to the Five Nations. This peace, the French governor used all his efforts to prevent, because his alliance with this tribe had hitherto prevented the Five Nations, from bringing all their force against Canada.

When the governor of Canada found that he could not prevent the treaty, he commenced hostilities against the Dionandides, and to revenge upon them, as well as to cut off all further intercourse with their tribe, he ordered one of their prisoners at Montreal, to be executed in the following manner.

“ The prisoner being made fast to a stake, so as to have room to move round it, a Frenchman began the horrid tragedy, by broiling the prisoners legs, from his toes to his knees, with the red-hot barrel of a gun. His example was

followed by an Utawawa, who desirous of excelling the Frenchman, split a furrow with his knife from the shoulder of the prisoner to his knee, and filled it with gunpowder, and then set fire to it. This gave him exquisite pain, and raised excessive laughter in his tormentors. When they found his throat so much parched, that he was no longer able to gratify their ears with his howling, they gave him water to drink, to enable him to continue their pleasure longer. But at last his strength failed, and an Utawawa, fleecing off his scalp, threw burning embers on his head ; then they untied him, and bid him run for his life ; he began to run, tumbling like a drunken man. They shut up the way towards the east and made him run towards the west ; the country as they think of departed miserable souls. He had strength left still to throw stones at his tormentors, which provoked them to end his miserable life, by knocking him on the head. After this each one cut off a slice from his body, to conclude the tragedy by a feast.”

These scenes are too horrid to relate, did not their relative connection with the rise and progress of these American colonies render such facts absolutely necessary to be known, that the character of the parties, as well as events may be correctly understood.

Governor Fletcher used all his efforts to carry into effect the orders of the crown, respecting the several quotas of the colonies ; but all to no effect ; the colonies resisted the measures as dangerous, and impolitic, to place so much power in the hands of the governor of New-York.

Count Frontenac, having finished the fort at Cadaraqui, convened at Montreal, all the disposable forces of Canada, consisting of regulars, militia and Indians of the following nations, viz. Owenagungas, Quatoghies of Loretto,

Adirondacks, or Algonquins, Sokakies, Nipicirines, the proselyted praying Indians of the Five Nations, and a few Utawawas. With this force he commenced the operations of a campaign against the Five Nations, well supplied with cannon, muskets, military stores, provisions, &c. together with portable boats and canoes, to transport such an army. The Count Frantenac left La Chine to protect the Island of Montreal, and took up his march in the following order, viz.—The Chevalier de Calieres led the van at the head of two battalions of regulars, with two small field pieces, mortars, grenadoes, and ammunition, with a party of Indians in advance. Next followed the provisions, baggage, &c. then the main body, with the count's household, volunteers, militia, in four battalions, with the engineer, commanded by de Ramezai governor of Trois Rivières, and Monsieur Vaudrueil at the head of two battalions, brought up the rear. The whole was preceded by the Indian scouts, to discover the enemy; beat up their ambuscade, and clear the way for the army.

In twelve days the army arrived at Cadaraqui, (180 miles,) and crossed over to Oswego, and from thence directed their march to the country of the Five Nations. The Onondagas, apprised of the approach of this formidable enemy, and of the bombs destined to reduce their castle, sent off their wives and children, set fire to their village, abandoned their castle, and withdrew into the woods. Count Frontenac, at the head of his victorious forces, entered this deserted village in the rear of his artillery, seated in a portable *great chair*. The village first fell into the hands of the conqueror, without one man, woman or child; next the castle submitted to the victorious chief, defended by one solitary Indian, about one hundred years old, who voluntarily gave himself up to torture, that he might exult and triumph over his enemies in the songs of his death; this he accomplished in the most triumphant

manner. This death was the only solitary death of all the Onondaga tribe ; and no conquest would have graced the train of this mighty conqueror, had not thirty-five Oneidas fallen into his hands, in bravely attempting to defend their castle. When this hero had become satisfied with beating the air, he took up his retreat to return into Canada ; the confederates rallied from their retreat, and hovered about his rear ; cut off small parties, destroyed his boats, and carried their depredations into the neighbourhood of Montreal with such success, that the country became greatly distressed ; this, added to the supplies of provisions drawn out to support such an army, spread a general famine throughout Canada, and distressed the whole country. The governor, to revenge these depredations, sent out scalping parties to distress the frontiers of the colonies, who infested the country about Albany, until the peace of Ryswic closed this horrid scene, 1697.

Upon the peace of Ryswick, Richard, Earl of Bellomont, succeeded Gov. Fletcher in the administration, and arrived at New-York, April 2, 1698. The character of this excellent man, as well as of his administration, have been fully noticed in New-England ; during his administration in Massachusetts, the dignity as well as integrity with which he filled the chair, and the firmness with which he suppressed the piracies of that day, in the American seas.

Lord Bellomont published his commission to the council immediately upon his arrival, and united his kinsman, John Nansan, in the government as deputy governor, whom he had brought out from England for this purpose. Lord Bellomont dispatched Capt. John Schuyler, and Dellius the Dutch minister, into Canada, to announce the peace, and negotiate an exchange of prisoners, and then laid before the council his commission against the pirates. He next laid before the council an affidavit, delivered him by Secretary Vernon, and the East-India Company, alleging

“that Fletcher had permitted the pirates to land their spoils in this province, and that Nicoll had bargained for their protections, and received eight hundred dollars in specie.” Nicoll acknowledged the receipt of the money, but plead an act of the legislature, allowing privateers to enter upon giving security. This act of assembly was denied by the counsel for the king; and the council advised the governor to send out Fletcher to England for his trial, and to try Nicoll here; but neither of these were accomplished, although it could have been proved that the pirates were frequently in the sound, and supplied with provisions from Long-Island. These facts have led hundreds of money-diggers, from that time to this, to search such places as have been suspected of containing the gold that Kid and others buried in the earth.* This affidavit opened the field for the enemies of Fletcher to attach themselves to the earl, and thus his administration became popular.

The old friends of Leisler took courage and united with the new administration; but a majority of the council being true to Fletcher, was supposed to have prevented the earl from seizing him and sending him to England for trial. Fletcher had been removed from office by the earl’s appointment; but Nicoll was yet in the council. The governor thought fit to remove him upon the confessions he had made to the charge contained in the affidavit, and obliged him to enter into a recognizance of 2000*l.* to answer for his conduct in that affair.

On the 18th of May, the governor opened his first assembly with the following speech:—

“GENTLEMEN,

“I cannot but observe to you, what a legacy my predecessor has left me, and what difficulties to struggle with; a divided people, an empty purse, a few miserable, naked,

* Counterfeit coin has generally followed soon after the money-diggers have been busy, from time to time.

half-starved soldiers, not half the number the King allowed pay for: the fortifications, and even the governor's house, very much out of repair, and in a word the whole government out of frame. It hath been represented to the government in England, that this province has been a noted receptacle of pirates, and the trade of it under no restriction; but the acts of trade violated by the neglect and connivance of those, whose duty it was to have prevented it.

“It would be hard, if I that come among you with an honest mind, and a resolution to be just to your interest, should meet with greater difficulties, in the discharge of his majesty's service, than those that have gone before me. I will take care there shall be no misapplication of the public money. I will pocket none of it myself, nor shall there be any embezzlement by others; but exact accounts shall be given you, when, and as often, as you shall require.

“You cannot but know, what abuses have been formerly in elections of members to serve in the general assembly, which tends to the subversion of your liberties. I do therefore recommend the making of a law to provide against it.”

This address was cordially received by the assembly, and as cordially answered; but in all other questions which came before them, they were so divided, that when upon the act to regulate disorderly elections, six members withdrew from the house; and the governor dissolved the assembly June 14th, 1698. His excellency soon after dismissed Pinhorne from the council, and Brook from the office of receiver-general, as well as judge of the court.

His excellency went up to Albany in July, to regulate the exchange of prisoners with the governor of Canada; but this subject involved the question whether the ex-

change should be made at Albany or Montreal, and both parties were firm in their demands; both parties threatened hostilities in case of non-compliance; but Count Frontenac finally proposed to refer the dispute to the commissioners, to be appointed according to the treaty of Ryswic; this the earl rejected, and urged his demands that the French prisonors should be delivered up at Albany.

In the heat of this controversy, Count Frontenac died, and Monsieur De Callieres negotiated an exchange with the confederates at Onondaga, without the knowledge or consent of the earl, and thus the affair ended. The Jesuit Bruyas, who negotiated this exchange at Onandaga, offered to reside there as their priest; but they rejected both his offer and his belt, saying Corlear had sent them priests.

This affair being closed, the earl returned to New-York, where he made great changes in the council, by displacing Bayard, Meinville, Willet, Townly, and Lawrence; and Col. Depeyster, Robert Livingston, and Samuel Staats, were appointed to succeed them. Robert Walters was also appointed to succeed Frederick Phillipse, resigned.

On the 21st of March, 1699, his excellency met his new assembly, who had chosen James Graham speaker.

Abraham Gouverneur, who had married Milbourn's widow, was a member of this assembly, and had great influence in the house. The following acts were passed during this session, viz:—

- “ An act of indemnity for those that were excepted out of the general pardon of 1691.
- “ An act against pirates, &c.
- “ An act for the settlement of Milbourn's estate.
- “ An act to raise 1500*l.* as a present to the governor, and 500*l.* for the deputy-governor.
- “ An act to continue the revenue six years.

“An act to regulate elections, agreeable to the statutes of 8th of Henry VI. chap. vii. and the 7th and 8th of William III.”

The assembly next proceeded to take into consideration certain large tracts of land, that Fletcher had fraudulently conveyed to some of his favourites, at the time he attempted to erect a spiritual tyranny in the colony. The first were two grants made to Delliuss, the Dutch minister; he was commissioner for Indian affairs, and had attempted to secure his grants by purchasing the Indian title. One of these grants extended twelve miles in breadth, and twenty miles in length, upon the east side of the Hudson River, lying north of Albany, and near Saratoga. The second included all lands upon each side of the Mohawk River, two miles wide, and fifty miles long, &c. Bayard's grants were equally extravagant. These grants were not only revoked, but Delliuss was suspended from his ministry. His lordship repaired to Boston early in June, to enter upon the government of that province, as was noticed under Massachusetts, where he apprehended the pirate Kid. When he had settled the affairs of that government, he returned to New-York, where he died, in March, 1701, greatly lamented by the colony.

CHAPTER XVII.

RISE AND PROGRESS OF PENNSYLVANIA, CONTINUED.

IN our last chapter, some notice was taken of the suspicions that rested upon William Penn, in consequence of his attachment to the king, and the particular marks of favour he received at court. The high prerogative claims of James II. and his well known, if not openly avowed attachment to Popery, had thrown the nation into such a state of ferment as to produce a revolution in favour of William and Mary, who ascended the throne, upon the flight of James, 1688.

As soon as William and Mary were firmly seated upon the throne of England, by a special convention, and by proclamation in due form, February, 1689, they began to correct and reform the abuses that had given cause for such general uneasiness, as had produced this great revolution, and to take into custody all the active partisans of King James, and thus destroy their influence in future. Those suspicions that had fallen upon William Penn, and given him the name of Papist, Jesuit, &c. were now remembered, and caused him to be arrested, arraigned before a tribunal of justice, and formally tried ; but, as no positive proof lay against him, he was acquitted, at Easter Term. In the year 1690, he was again arrested, and arraigned before a court of justice, upon suspicion of holding correspondence with King James ; but for want of proof he was again acquitted, Trinity Term. The same year he was again attacked in a proclamation, as an enemy to the kingdom, and an adherent to the enemies of the crown, and again arraigned before a court of justice, and again acquitted.—*Michaelmas Term, King's Bench, Westminster, 1690.*

Thus persecuted at home he proposed to visit once more his retreat in the wilderness, and enjoy the society of his

friends in Pennsylvania, as well as carry out to them a great number of planters, with their families and effects, to strengthen his rising colony ; but the malice of his enemies blasted even this ; when all his arrangements and preparations were made ready for his intended voyage, he was again arrested upon the oath of a vile profligate fellow, whilst returning from the funeral of the celebrated George Fox, who was the founder of the sect called Quakers, January, 1691.

William Penn, tired of such vexatious suits, and disdaining to place himself and his reputation, at the mercy of an oath from such an abandonad wretch, he relinquished all his pleasing preparations, with which he was about to make fresh improvements in his province ; withdrew from public notice, and passed two or three years in a state of retirement. During this period, sharp contentions arose in the province, which his presence would have prevented, or healed ; but in his retirement he could only advise, and the contention became warm. The indulgence of the proprietary had given rise to this contention, by admitting three executive modes into his government, viz. either, that of the Council, of Five Commissioners, or a Deputy-Governor.

The province and the lower counties became divided in sentiment, upon the different modes of executive administration ; in the midst of this heat, the members of the council for the lower counties withdrew, and thus caused a division in the government. This division caused the province to decide on the mode of deputy-governor, for their executive, and proceeded to elect Thomas Lloyd, who (though with reluctance) accepted the appointment, and the proprietary, (though with great grief at this unhappy division,) commissioned him accordingly, and the secretary, William Markham, was chosen as executive by the lower counties, and thus the colony was arrayed against

itself. The proprietary, alarmed for the fate of his colony, wrote them by way of advice, joined with kind and tender reproof, and warned them to heal their divisions as soon as possible.

In the midst of this political strife, a religious feud sprang up amongst the Quakers, occasioned by a hot-headed zealot, who was full of religion, without either wisdom, prudence, or discretion; and aiming to become (like many others at the present day) imperious, and noisy, by becoming righteous overmuch, and by crying up their own selves, at the expence of their neighbours; this added to the political discord, caused the king to remove the proprietary from his government, and send Gov. Fletcher, of New-York, to preside over the colony, Oct. 21, 1692. Upon the receipt of this commission, Governor Fletcher wrote immediately to Lieut. Gov. Lloyd, in which he gave him notice of his appointment, and requested him to convene the council to be in readiness to meet him on the 29th of inst. April, 1693. Gov. Lloyd complied, and Gov. Fletcher met the council accordingly. Soon after this, Governor Fletcher proceeded to call an assembly; but the mode became a question between him and the council, which occasioned a long and spirited address from the council to the governor; the assembly met on the 16th of May, and presented their speaker to the governor, who was accepted, and the oaths or affirmations, by subscriptions, were passed in the usual forms, and they proceeded to business. Thus the enemies of William Penn, like the enemies of Columbus, never rested quiet, until they had hunted him into retirement, to avoid their malice, and then deprived him of that government which he had created and nursed up to a state of manhood; and to effect this, they even rendered it necessary for him to flee for his life. How *black* is the *heart* of an *envious, malicious man*? and how despe-

rately wicked were the hearts of those men who persecuted a Columbus and a William Penn?

At the opening of the assembly, the governor communicated a letter from Queen Ann, in which the queen remarked that it was reasonable for the other colonies to contribute towards the support of the military post at Albany, in as much as they were benefited by this frontier fortress. The assembly made it their first question to determine whether they should proceed upon the basis of their own charter and laws, or upon the laws of New-York; they accordingly resolved to request the governor by an address, that they might be governed by their own laws. The governor in his reply to their address, informed them that the feuds in their government rendered it highly improper that he should comply with their request; but assured them at the same time, that he would unite with them in promoting the best good of the province, in any manner, consistent with the laws of England; and pressed them to diligence, and dispatch in business; this reply called forth a remonstrance from the assembly, in a modest dissent from the sentiments contained in the governor's reply; but concluded by saying, "Nevertheless we own thee for our lawful governor, saving to ourselves, and those we represent, our, and their just rights, and privileges." The assembly next proceeded to business, and a general disposition to harmonise, appeared among the parties; the governor signed all the bills that were passed, in due form, and in June he dissolved the assembly; he appointed William Markham, as deputy-governor, and returned to New-York.

In 1694, Gov. Fletcher again visited Philadelphia, and called an assembly on the 23d of May, and in his message informed them that the Five Nations had been seduced by the intrigues of the French, to desert the English interest, and were then threatening Albany, and the adjacent coun-

try, with hostilities ; he at the same time, urged the necessity, as well as the justice and propriety of the measure, that they should afford aid and assistance to New-York, to quell this storm, by raising money to furnish presents to the Indians, which might draw them back to the interest of the English.

This message was not so far agreeable as to raise the money, and William Penn, in his letter soon after, chides them sharply, as being the destroyers of their own peace, and the best interest of the province, in refusing to furnish supplies for the common defence.

In September, another session of the assembly was held at Philadelphia ; several laws of importance were passed, and with the close of this assembly, closed the administration of Gov. Fletcher in Pennsylvania, Sept. 1694.

At this time died President Lloyd, a useful and valuable man in the province ; one who had sustained the first offices with dignity and honour to himself, and the best interest of the colony. No man in the province possessed the confidence of the proprietary, to a higher degree, than President Lloyd.

During this procedure in the province, the friends of William Penn expressed to his majesty their concern, that so good a man as William Penn should suffer so unjustly, from the malice of such enemies as had risen up against him ; part of whom had, from remorse of conscience, asked his pardon for their high offences, and others had fled, to escape that justice that awaited their cruel and malicious offences against him, and besought his majesty that he might be openly acquitted, and restored to his government. To all which the king replied, “ William Penn is one of my old friends, as well as yours ; and he may follow his business without further molestation,” and authorised them to make this known to him. Which was done accordingly, on the 30th of November following. Amidst all this

weight of troubles, died Gulielma-Maria, the wife of William Penn, which added greatly to the weight of his afflictions. The tenderness of his affections are best expressed by himself, in his description of her excellent character.

In August 1694, (previous to the last session of the assembly under Governor Fletcher,) William Penn was restored, by letters patent from their Majesties William and Mary, to the government of his province ; upon which he commissioned William Markham as his lieutenant-governor over his province of Pennsylvania. William Penn was not only restored to his government, but to the confidence of his friends, both in England and America, and to his accustomed usefulness.

On the 20th of April 1695, Governor Markham met his council, and on the 10th of September following, he met the assembly ; but for some cause he dissolved this assembly at an early day. On the 26th of October, 1696, the governor again convened his assembly, and requested by message, their compliance with the queen's letter ; to which they replied by way of remonstrance, that they were ready to comply, provided they could be restored to all the privileges they enjoyed under their former charter, before Governor Fletcher's administration. At this time Governor Fletcher wrote pressingly for the money proposed, for the Indians at Albany ; this called forth a committee from the council and the house, to unite in a reply to the queen's letter. The result of this conference was an act to raise money, to the amount of three hundred pounds, for the support of government and the relief of the Indians. This act was passed so as to embrace a bill of settlement, and a money bill at the same time. This bill, with sundry others, gave a new stamp to the government, and may be fairly termed the third frame, or form of government, in Pennsylvania.

In the year 1697, Governor Fletcher accounted for the expenditure of the 300*l.* sent the last year, and requested a further supply. This request the assembly declined, as exceeding their present ability.

In 1698, the affairs of the province were generally regular, and in 1699, William Penn sailed from England with his wife and family for Pennsylvania, where he arrived safe on the beginning of December. By his late arrival, he very providentially escaped the yellow-fever, which had raged in Philadelphia through the autumn, and had proved very malignant and mortal. The calamity of this awful disease was thus expressed by Thomas Story, a noted preacher amongst the Quakers, who was present in the time of the fever. "Great was the majesty and hand of the Lord, great was the fear that fell upon all flesh; I saw no lofty look, or airy countenance, nor heard any vain jesting, to move men to laughter; nor witty repartee to raise mirth; nor extravagant feasting, to excite the lusts and desires of the flesh above measure; but every face gathered paleness, and many hearts were humbled, and countenances fallen and sunk, as such that waited every moment to be summoned to the bar, and numbered to the grave."

It was known that the proprietary had now come to spend his days, with his family, in the midst of his people; and they bid him welcome, with all suitable expressions of joy and gratitude. Anxious for the prosperity of his colony, the governor called an assembly at an early day, to devise means to suppress the illicit and piratical trade that had infested their borders; and severe laws were passed accordingly. His next concern was to give suitable religious instruction to the Indians and negroes; to effect this, he appointed monthly meetings for their instruction, and encouraged and assisted in the religious exercises of

these, and others more frequent, and procured such interpreters as would best promote the design.

The next assembly was convened in May, at Philadelphia, which was dissolved in June, and another convened at New-Castle in October following, in order to heal the differences that had distracted the colony in his absence. The first object was to frame such a body of laws as should meet the views of both parties, and then confirm them with a new charter; to effect this the proprietary consulted the private feelings of the more influential, amongst the people, and by the weight of his influence corrected such as were wrong, and confirmed and strengthened such as were right, until he accomplished his purpose, and then cemented their union by granting them a new charter of privileges, in October 1700. In August 1701, the proprietary convened the assembly, to take into consideration the king's letter, requesting three hundred and fifty pounds to assist the colony of New-York, in fortifying their frontiers. The assembly took the letter under consideration, and concluded that they were unable at this time to comply with his majesties' request. Their answer was returned to the governor in a very handsome and respectful address, in which they not only urged their inability; but the inexpediency of the measure, as being incompatible with the plan, and views upon which the province was settled, to promote war. They therefore recommended to cultivate the arts of peace, by the principles of justice, and a regular deportment towards the savages, with high expectations that the effects would become the same in New-York as in Pennsylvania.

In April 1701, William Penn held a grand treaty at Philadelphia, with about forty grand sachems, and others of the great tribes, lying upon the waters of the Susquehannah, Potowmac, &c. The essential articles of this treaty were as follows.

1. To confirm and establish forever the ancient peace and mutual harmony.
2. Never to injure each other.
3. To be subject to the laws of the government of the colony.
4. Not to aid or abet the enemies of the government.
5. To give due notice of all ill designs against the province.
6. Not to admit strange Indians to settle in the province.
7. To oblige all traders to have a licence, or approbation from William Penn.
8. A full ratification of all former bargains, as well as actual sales of land, &c.

Thus we see how much the interest of a people depend upon individual character. William Penn by his correct principles, his disinterested benevolence, as well as his correct knowledge of human nature, hushed the old storms, which had distracted the province ; restored order, justice, and union, and governed every man for the best interest of the whole ; by leading him to believe that he governed himself, and actually influenced the proprietary in such a system of measures as were found to be most salutary. We are now called again to witness the trials that continually awaited this great and good man ; whilst he flattered himself that he might enjoy the harmony he had produced, tidings from England arrived, that a bill was then pending before Parliament to subvert all the republican charters in America, and engross the whole under the government of the crown. These tidings alarmed the proprietary, and he again set sail for England to defend the rights of America. When the proprietary had made his arrangements to return to England, he called a special assembly, gave them their new charter, satisfied the renewed claims of the lower counties for a separation, by granting their request, upon condition that they promise to remain peaceable. He next received all the great sa-

chems with whom he had so lately treated, to pay their farewell visit : and finally appointed Andrew Hamilton, late governor of New-Jersey, as his deputy-governor, and James Logan his secretary, and clerk of the council, and took his departure once more for England. William Penn arrived at Portsmouth (England) in December, and to his great joy found the bill he so much feared, had been entirely dropped in Parliament. In March 1702, King William died, and Queen Ann commenced her gentle reign. William Penn soon grew into favour at court, and lived at his ease at Kensington, where he made himself useful with his pen, as may be seen by his writings.

The affairs of his province were again shaken by divisions, and the lower counties finally rejected the new charter, and made a complete separation, which was confirmed by a mutual agreement with the province, and the latter called a separate assembly, who held their first session at Philadelphia, October, 1703.

Governor Hamilton had died in February 1702, and been succeeded by President Skippen, at the head of the council. In 1703, the proprietary appointed John Evans as his deputy-governor, by, and with the consent of the queen, and in February 1704, he arrived in America, to take charge of the province, and in April 1704, he convened the assembly, consisting of members from the province and the territories, (or lower counties). The design of the governor was to unite again these discordant interests, if possible, and restore union and harmony to the province ; this he effected so far as to gain the consent of the territories ; but the province refused to comply, and this involved the governor in a controversy which he could not heal. The business of the province suffered through their strife, and little was done either at this, or a subsequent session. Near the close of the year, the governor met the first assembly of the territories, at New-

Castle, and published a proclamation for the purpose of embodying such members of the community as were not Quakers, and were willing to bear arms in defence of their rights, during this French and Spanish war. This assembly became clamorous, and not only rejected the measures of the governor, but actually caballed against him, and accused him to the proprietary of mal-administration, together with Logan the secretary. Governor Evans requested a copy of their letter to the proprietary, which they refused, and he was constrained to wait the issue. At the next assembly, in 1705, the governor acquainted the assembly with the marks of disapprobation the proprietary had expressed towards their proceedings, and his surprise that they had refused to pass the bills in question.

In the year 1705, Thomas Chalkley, a preacher amongst the Quakers, in company with several friends, paid a religious visit to the Senecas, Shawanese, and other Indians living about the waters of the Susquehannah, and were received with great cordiality, particularly by a woman who was their chief speaker, and who was indulged in this, because they considered her as being wiser than the men, as well as their empress. The empress related a dream which she considered as having a particular reference to this visit, and served to render it the more impressive. In her dream, she said "she saw London, which was the finest place she ever saw, and she went across several streets, until she saw William Penn preaching to a great multitude of people, and that they both rejoiced to see each other, and after the meeting, he told her he would soon come over and preach to them also, so she was very glad ; and now her dream had come to pass, since some of his friends had come to preach to them." This dream, together with her advice and example, rendered the visit peculiarly interesting. This dream goes very far to shew the respect they bore to William Penn, as well as the

friendly disposition of these people, when they are treated with kindness and friendship.

Queen Ann's war with the French and Spaniards, was now raging in Europe, on the ocean, and throughout the frontiers of New-England, desolating their fields and settlements, and filling their borders with death, yet in Pennsylvania all was tranquil, and the Susquehannah Indians were rejoicing with a company of Quakers, who had come out to preach to them in the character of friends of William Penn. Such are the effects and influence of justice, truth, and friendship, founded upon the principles of a disinterested religion. William Penn and his Quakers, subdued the ferocity of the savages by these weapons, without discord or blood; whilst the whole northern and eastern frontier were groaning continually under the severities and barbarities of Indian wars. Governor Evans, who was a young man of spirit and enterprise, had very little faith either in the pacific principles of the Quakers, or in their being the true cause of preserving the peace of the colony with the Indians, whilst they were butchering defenceless women and children upon the other frontiers; but full of the belief, and endeavouring to diffuse the same opinion into others, that they should suffer in their turn; he attempted to organize the militia of the province into a regular body; but when the plan failed, he hit upon the following stratagem, to determine whether the true cause was a religious principle, or cowardice. He caused a false alarm to be sent up to town from New-Castle, that an enemy's fleet were in the river, and about to land a force to invade the province, and gave orders for all the citizens to embody at such a place, and prepare to meet the enemy. Such was the art by which the stratagem was managed, that the alarm became general, and the confusion, as well as all the variety of means of securing their persons, plate, and other moveables, were acted out in reality; all

was anxiety and distress, confusion and alarm, excepting amongst the Quakers, they were holding a religious meeting, and remained at their devotions as unmoved, as though all was quiet, or they alone were sharers in the secret. The place of rendezvous was soon crowded, and the place of the supposed landing reconnoitered; and the cheat discovered. The tables were soon turned, the populace turned their rage upon the governor, and his friends; they, in their turn, became the objects of derision, as well as of rage; fled for their lives, and had the good fortune to escape unhurt, and lie concealed, until the violence of popular fury had subsided; but the effects of this folly were serious and lasting, particularly upon the trading part of the province.

This stratagem, however ridiculous in itself, produced the following effects. An assembly of the territories met soon after at New-Castle, where, upon a proposal of Governor Evans, it was voted "to build a fort, for her majesty's service, at the town of New-Castle, upon Delaware." This law also imposed a duty of half a pound of gunpowder per ton upon all vessels coming in from sea, that were not owned in major part by persons residing upon the river; compelling all vessels that passed this fort to stop, drop anchor, and land the captain, or his mate in his absence, and obtain leave to pass, from the commanding officer of the fort, upon severe and heavy penalties. This law being an absolute violation of their charter, soon became not only a great nuisance, but highly offensive to the trading interest.

Richard Hill, one of the council, with Isaac Norris, and Samuel Preston, all Quakers, but men of talents, courage, and influence, resolved to break this nuisance at New-Castle; accordingly they embarked on board of Hill's vessel, then bound to sea, and sailed down the river; at New-Castle they dropt anchor at the fort according to law

and custom, when Norris and Preston went on shore to obtain a pass ; but not returning soon, Hill hoisted anchor and set sail ; the fort hailed, and fired with spirit, some of the shot pierced the mainsail, but without much damage. When Captain French, the commander of the fort, saw his power set at defiance, and the vessel had gone clear, he armed a small boat, and put off with his hands to arrest the further progress of the vessel ; when the boat came along side, Hill ordered a rope to be handed, and French was invited on board, Hill cut the rope, the boat dropt astern, and French was conducted a prisoner to the cabin, and from thence to Lord Cornbury, governor of New-Jersey, and then at Salem, a little below. Lord Cornbury reprimanded French with great severity, and dismissed him, and thus the nuisance was forever removed by a stratagem of a very different character from the one that caused it. Hill followed up the blow, and at the next assembly obtained an unanimous address to the governor, reproaching the proceedings at the fort at New-Castle. The people resented these proceedings of the governor so highly, that it destroyed all his future influence, and opened perpetual collisions between the assembly and the governor ; in which state things continued, and in the summer of 1707, the assembly drew up and forwarded a remonstrance to the proprietary, against the governor, and Secretary Logan, in which they arranged a long catalogue of complaints and grievances against them. The remonstrance had the desired effect, Evans was removed, and Charles Gookin appointed in his place, 1709. Pending these troubles in the province, the proprietary was constrained to mortgage his province, to ease himself of that burthen of debt, which he had so liberally incurred in bringing forward this infant colony. Thus we see that the result of all this good man's labours, was reproach, persecution, anxiety, distress, and debt. This ingratitude of

man was not peculiar to William Penn ; it has been common to all good men from the earliest ages of the world, down to the present time, and will most probably continue to be, until the sordid and malignant heart of man shall be changed in that great and interesting day, when all wrath, malice, and evil speaking shall be done away ; when mutual interest, concord, and harmony, shall form the bonds of social, political, and religious intercourse, and the ties of universal philanthropy shall embrace the whole family of man.

CHAPTER XVIII.

CAROLINA CONTINUED, FROM THE CLOSE OF CAREY'S REBELLION, AND THE SETTLEMENT OF THE FRENCH HUGUENOTS, AND THE PALATINES, TO THE CLOSE OF THE INDIAN WAR.

WE closed our last chapter on Carolina, with the suppression of Carey's rebellion; our attention is now called to the history of the Palatine colony.

In the year 1690, a colony of French Huguenots came into Virginia, under the patronage of King William, and settled at the Mamakin Town, in Virginia, upon James River. Displeased with their situation, they removed into Carolina in the year 1707, and settled down upon the river Trent, under the pastoral care of their beloved Rybourg. This colony was a valuable acquisition to Carolina, on account of their pious, industrious, and frugal habits; and they flourished under these virtues, and became useful and valuable citizens.

This colony had abandoned their native land and fled into exile, to escape the religious persecutions that had drenched Europe in blood during the period of the reformation, and sought a repose amongst the pilgrims of the age, in the wilds of America.

A colony of German Protestants, from Heidleberg, upon the Rhine, fled from the despotic persecutions of their lordly, despotic Palatines, who were, at every succession, not only changing their own religion, but the religion of the Palatinate. The elector, Frederick II. was a Lutheran, Frederick III. his successor, became a Calvinist, Ludovic V. restored the Lutheran Church. His son and successor, restored Calvinism, and the next reigning family were Catholics, and oppressed the Protestants. Worn out with these oppressive changes, together with the ravages of war, which

often wasted their country with fire and sword, about six thousand of these persecuted German Protestants embraced the invitation of Queen Ann, in her proclamation of 1708, fled their country with their wives and children, and took refuge in England. They were cordially received, and supported in a body, at the expence of government; and at their request, one hundred families were transported to Carolina, through the agency of Christopher Graffenried and Lewis Michell, who were then in America exploring the country of Virginia and Carolina, to open the way for the settlement of a colony. These speculators entered into a contract with the proprietors of Carolina, upon the following terms and conditions:—

That ten thousand acres of land should be surveyed to them, lying between the Neus and Cape Fear Rivers, at the ratio of twenty shillings per hundred acres, and six pence the yearly quit-rent; also another tract, in reserve, of one hundred thousand acres, for twelve years; and whoever should pay the usual price of five thousand acres, should possess a title, which fell to the lot of De Graffenried. Queen Ann had appointed commissioners to make provision and furnish support for this colony, whilst they remained in England, and these commissioners entered into a covenant with Graffenried and Michell, upon the following terms; ‘that they, Graffenried and Michell, would transport to Carolina six hundred and fifty men, women and children of these Palatines, (one hundred families,) and that they would convey to each family two hundred and fifty acres of land, surveyed into lots of that size, free of rent for five years, and then at an annual rent of two pence currency, per annum, forever afterward. That they would supply each family with provisions for one year, for which they were to pay a reasonable consideration at the end of the following year;’ they also agreed to furnish each family with the necessary implements of husbandry, free of ex-

pence, as well as tools to erect houses, &c. They also agreed to furnish cows, hogs, and sheep, to a certain number, within four months after their arrival in Carolina, to be paid for in seven years, and half of the remaining increase was to be returned as a consideration of interest.

The commissioners stipulated to pay five pounds per head for their transportation, and at the same time gave each person, either old or young, twenty shillings, from the charitable funds collected for their support; and the Palatines delivered over their money, so received, to Graffenried and Michell as their treasurers in trust, to be repaid upon their arrival in Carolina. In December, 1709, the colony arrived in Carolina, at the confluence of the rivers Neus and Trent, where they erected huts to shelter them, until they entered upon their lands. This place of their first residence they called New-Bern, in honor of the native place of Graffenried, in Switzerland. Graffenried had gained his title by his purchase, and become Baron De Graffenried, and with this he contented himself to mortgage his lands to Thos. Pollock, for eight hundred pounds sterling, deliver over his Palatine colony, and return to Switzerland. Thus abandoned by their chief, these hardy, industrious Protestants, took up such lands as they could procure in this cheap country, and by their frugal habits acquired a comfortable living. Such was their influence and respectability, that upon their petition to King George, he granted them a tract of ten thousand acres, rent free for ten years, as an indemnity for their losses. Thus we see that the arts of finesse amongst land speculators, commenced with the first settlement of the country, and have continued, not only down to our own times, but will most probably continue until the whole continent becomes one vast settlement, and the cause that first gave rise to it is entirely removed.

The first settlers of America, not only speculated upon each other, but they too often speculated upon the Indians, and purchased their lands for trifles as light as air; entered into unjust and forcible possession, or what is worse than both, corrupted them by rum, and thus obtained their lands. Through the medium of all these evils, the Indians were often provoked to revenge their wrongs, which produced war, and sealed the other evils with blood. Hitherto the prudence of the first settlers of Carolina had so far shunned these evils as to escape war; but their population had increased so rapidly, their encroachments become so frequent, and the use of rum so common, that all those numerous tribes who dwelt upon the great rivers near the sea-coast, were nearly all extinct. At this time, one Lawson, a surveyor, (who from the nature of his office was generally known amongst the Indians, and who had lately marked off a survey that encroached upon their lands,) attempted to explore the lands upon the river Neus, accompanied by the Baron De Graffenried,* for whom he had recently surveyed the ten thousand acres that had given the Indians an alarm. When they had ascended the river to the first night's lodgment, they found a reception unusually cool, and their suspicions of danger led them to retire to their boat; but the Indians detained them as prisoners, and the next day they held a solemn trial upon them, and condemned and executed Lawson; but the baron, upon a plea of being a foreigner, and not English, they acquitted, and suffered to return; but not until they had attempted to execute their cruel design, which was to murder all the English to the south of Albemarle Sound. Accordingly upon the 22d of September, 1711, the Indians divided themselves into small companies of six or seven in each, and entering the villages, put whole families to indiscrim-

* Graffenried had returned from Switzerland.

inate death, with all their wonted savage cruelty, to the number of one hundred and thirty ; young men and maidens, old men and babes, were all devoted to indiscriminate butchery by the tomahawk. This instrument they had chosen in preference to their guns, to avoid suspicion ; but all could not be massacred at once ; and the remnant seized their guns, and made their defence until they were relieved by their friends. South Carolina dispatched Col. Barnwell with a small body of white men, and a large body of Indians, to their relief ; together with a grant of four thousand pounds in money. These friendly Indians were Creeks, Cherokees, and Catawbias. With this force Col. Barnwell entered the northern colony, and laid waste the settlements of the Corees, Bear River, Neus, and Mattamuskeet Indians, who all had been confederate against Neus and Pamlico settlements ; and killed and destroyed about fifty, and carried off about two hundred women and children as prisoners. The Tuscarora tribe, who dwelt more remote from the English settlements, were both numerous and warlike, these also had been engaged in the confederacy against the English, and to secure themselves from the vengeance of Col. Barnwell, had inclosed themselves in an Indian castle, to the number of about six hundred warriors. Col. Barnwell, with two field pieces, approached the fort in a regular military form, having Michell, the speculator, for his engineer, and might have killed, destroyed and taken the whole of that nest of murderers ; but such was the humanity of Col. Barnwell, that he made peace with them, and not only suffered them to escape, but gave them another opportunity to distress the English, which they improved in a very few days. If it should be enquired why Col. Barnwell offered this bounty upon savage depredation and murder, this is the reply of Dr. Williamson, their historian—" that Barnwell had his eye upon the chair of state, then in the hands of president Hyde ;

and by making friends with the savages, and throwing the odium of the Indian war upon Hyde, he hoped to supplant him in the government ;” but Barnwell failed in his object. The next year, 1712, president Hyde died, and Thomas Pollock was chosen president. Mr. Pollock had held a share in the government about twenty years, under Lord Carteret, or his father, and was fully acquainted with the true situation of the colony. In one of his letters to the lords proprietors, he thus expresses himself:—

“ The subject labouring under every, calamity by which a vicious, ignorant, and obstinate people can be punished ; civil contentions which have risen to the shedding of blood ; general poverty ; short crops ; a sickly season, and a dangerous Indian war. The people on Neus and Pamlico rivers, generally ruined, their houses and furniture burned, their whole stock of cattle, horses, and hogs, killed or carried off by the Indians, while their families were pent up in forts. All the inhabitants on the south, and southwest of Chowan river are secured in forts. Provisions for the army and inhabitants, on Neus and Pamlico, are sent from Albemarle. The forces on these rivers under Colonel Michell and Colonel M’Kee, not above one hundred and forty. The Tuscarora Indians numerous, and well provided with muskets, and ammunition, and expect assistance from the Five Nations, or Senecas. Hence they are sure of success, whilst the inhabitants of North-Carolina are dispirited, undisciplined, timorous, disobedient, and divided. They who are in the service ill provided with clothing, and not able to buy.”

This full length portriat from President Pollock, shews at once, why Carolina had now become the subject of such severe sufferings, and needs no comment. Colonel Barnwell had not fairly returned into the southern colony,

before another message from the north, announced fresh depredations, and murders from the Indians, and called again for assistance. The governor immediately dispatched Colonel Moor, an active young officer, and son of the late Governor Moor, with about forty white men, and eight hundred Ashley Indians, who arrived in the northern colony about the first of December. Virginia sent succours to Carolina at the same time, in men, and money to the amount of eleven hundred and eighty pounds, to augment and clothe her troops; but the troops were never raised, and the county of Bath was left to depend upon the trifling force mentioned in President Pollock's letter. The Indians took advantage of this feeble defence, and entered again these distressed villages, and killed, or captured during the winter, more than forty of the inhabitants, and carried off their booty.

When Colonel Moor arrived at Albemarle, he was constrained to halt several weeks for the want of provisions; but about the first of January, (one whole month after his arrival,) he was enabled to begin his march in pursuit of the enemy. On the fourth of February, they reached Taw river, where they were detained by a deep snow; and the Tuscaroras, alarmed for their safety, and dreading the Ashley Indians, had secured themselves in their forts, about fifty miles up the Catechomy river. Knowing that Colonel Moor advanced against them with cannon, they guarded their forts by a deep ditch, and pallisadoes; and in the centre they sunk large pits, and threw up the earth upon all sides, to shield them from the shot of the cannon; here they felt themselves secure, with a good supply of provisions, and an avenue, by way of a deep ditch, opened to a brook, to supply them with water; thus fortified, the Indians awaited the approach of their pursuers. Colonel Moor approached the fort regularly, and with caution, knowing the enemy to be in great force, and well supplied

with muskets. He first attempted to cut off their watering parties, by erecting a small redoubt to annoy their passage to the brook ; and at the same time carried forward his approaches, until he entered the fort at the point of the bayonet, and made the whole garrison prisoners ; consisting of about eight hundred Tuscarora warriors. These prisoners were delivered to the Ashley Indians, as a reward for their services, who carried them into South Carolina, and sold them as slaves. Colonel Moor lost in this memorable siege, fifty white men killed and wounded, and about eighty or ninety friendly Indians. The Indians abandoned their other forts, and fled into the wilderness, and the eastern Tuscaroras sued for peace, which was granted upon the following conditions, viz :—

1. The Tusks shall deliver twenty Indians who shall be named, who were the chief contrivers of the massacre, and who took Lawson and Graffenried.

2. They shall restore all their prisoners ; also the horses and cattle, arms and goods, they have taken from the inhabitants.

3. They shall pursue the Colechnec, and Matamusk-eet Indians as enemies.

4. They shall deliver two hostages for each of their towns.

Thus ended this Indian war, which is the most memorable of any recorded in the annals of Carolina. The Tuscaroras, cut off by Col. Moor, and sold into slavery, harassed, and distressed by their neighbours, whose arms were now turned against them, fled their country, and took refuge amongst the Senecas, one of the Five Nations, and being soon added to this confederacy, they became the sixth, and ever after, the confederates have been known by the name of the Six Nations, 1712.

King Blount, a noted warrior, who dwelt upon the east side of Taw River, put himself at the head of his tribe,

entered the service of the English and became very successful in harassing, killing, capturing, scalping, and destroying the remaining Corees, and Matakuskeets; who were mostly taken and sold as slaves. Tired and worn down by these perpetual losses, the remnant of these two tribes sued for peace, which was granted, upon condition that they should dwell quietly at Matakuskeet, under the care of an inspector. Thus closed finally this ever memorable war, February, 1715.

Colonel Moor returned to South-Carolina, where his services were soon required, to quiet the savage insurrections in the south: accordingly he was dispatched with a body of fifty men to join the forces of the colony in the war. This war was of short continuance, and not very serious in its operations or consequences.

The supplies which South-Carolina had sent, from time to time, for the relief of the northern colony, added to the infancy of their government, rendered it necessary for their assembly to issue paper money, to the amount of eight thousand pounds; and to support the credit of these bills, they were made payable in the discharge of all lawful debts. This soon became an evil worse than the Indian war. The money depreciated, in defiance to all the efforts of the assembly to prevent it, and with its depreciation involved the people in new difficulties, and embarrassments. The effects of this depreciated paper money were sensibly felt, in the rise it occasioned upon land. This, in the year 1711, had advanced the price of lands, as well as quit-rents, one hundred per cent; that is, the price of land from twenty to forty shillings the hundred acres; and the quit-rents from sixpence to one shilling.

In 1676, the colony of Carolina consisted of fourteen hundred taxable inhabitants, it being fifty-three years since the proprietary government had commenced, and in 1717,

it did not exceed two thousand, allowing one third of these to be slaves ; (which may be considered as a fair estimate ;) then the fencibles of the colony could not amount to thirteen hundred. This fact alone is a sufficient comment upon the genius of their government, as well as upon its administration. Such were the number of emigrations during the reign of Sothel, Culpepper, and Car, that the governor of Virginia was constrained to issue a proclamation, ordering “ that all fugitives from Carolina, without a pass, should be apprehended and sent back.”

Their historian, Dr. Williamson, remarks—“ That the temperature of the climate in Carolina was so inviting, the soil so fertile, and the means of living so easy, that the inhabitants must have been very numerous, if the government had been administered with any degree of wisdom. The farmer was not constrained to make any provision for his cattle in winter, for they found a sufficient supply in the woods, and flocks of wild cattle became the subjects of profitable game to the hunter,” &c.

In many cases of bad officers, the lord’s proprietors were deceived in the men of their choice ; but in others they deceived themselves, by appointing men, not only of doubtful and suspicious characters, but men notoriously bad. Thus in Carolina, venality, corruption, and oppression reigned, to the ruin of hundreds of private citizens, and the general damage of the colony.

CHAPTER XIX.

PENNSYLVANIA CONTINUED, FROM THE COMMENCEMENT OF THE ADMINISTRATION OF GOV. GOOKIN, TO THE DEATH OF WILLIAM PENN, 1718.

IN our last we closed with the foolish, as well as mad projects of Gov. Evans, and his consequent removal from office ; we are now about to enter upon the administration of Gov. Gookin, a character, (to say the least of him,) in all respects the reverse of that of Gov. Evans.

Gov. Gookin arrived at Philadelphia, in March, 1709, accompanied by a letter of introduction from the proprietary, in which he sums up the merits of his character in these few, but appropriate words—" A person of years, experience, and moderation, as well as of good character, example, and abilities, and descended from a good family, in Ireland," &c. Under this recommendation he met the people of his government in their General Assembly, who were in session at the time of his arrival, and under this recommendation, his people received him, as may be seen by their cordial addresses and replies. [*See Proud's History of Pennsylvania.*]

Having thus passed through the introductory ceremonies of office, the people claimed of the new governor, a suitable redress of the grievances they had suffered under the wanton administration of Gov. Evans ; but the wisdom and prudence of Gov. Gookin, led him to wave this demand, by assuring them that the whole affair was well known in England, before his departure, and that as he had received no instructions upon the subject, he presumed it was not expected that he should intermeddle in those affairs, and recommended a general oblivion of what was past ; and a strict attention to harmony, wisdom, and justice, for the future. Thus, with a few reflections on the part of the peo-

ple, which gave umbrage to the council; and a few remarks in reply from the council, together with general explanations by the parties, the old controversy was covered, and the way prepared for a smooth and tranquil administration. These appearances notwithstanding, there remained a party in the house of assembly who could not feel willing to pass over the outrages of Governor Evans in so much silence, and who framed a remonstrance against that part of Gov. Gookin's address, which recommended oblivion; and leaving him time to reflect upon the subject, they adjourned to the first day of the fourth month, (June.)

On the day appointed by adjournment, the governor met the assembly with the following speech.

“GENTLEMEN,

“The queen, for the good of her subjects in these provinces, has fitted out a fleet with great expence, for the retaking of Newfoundland, and for the conquest of Canada, and has intrusted Col. Vetch with her majesty's letters to the several governors, with instructions to agree on proper measures for carrying her majesty's design into execution. Boston, Rhode-Island, and Connecticut, have out-done her majesty's expectations. I hope we shall not be wanting in our duty.

“The quota for this province is one hundred and fifty men, to be officered, victualled, and paid, the same as those of the other governments; the charge, I suppose, will amount to about four thousand pound.

“Perhaps it may seem difficult to raise the men, in a country where almost all the inhabitants are obliged by their principles, not to bear arms; but if you will raise the money demanded for the support of government, I do not doubt getting the number of men, whose principles allow them to bear arms, and commissioners may be appointed

for the disposal of the country's money, that the people may be satisfied that the money is applied to no other use than this expedition.

"I must recommend to you the present circumstances of the three lower counties ; you are not now falsely alarmed ; New-Castle seems now to be the only proper place to make any defence ; I find them ready and willing to do any thing in their power for the good of the country, and look on themselves as a frontier to you, though a weak one ; and if they perish, in all probability, your destruction will not be far off ; therefore, in my opinion it is your interest, that they be furnished with every thing necessary to obstruct an enemy.

"I have only to add, that as all private affairs ought to give place to the immediate interest of her majesty's service, so it will not be my duty to hearken to any proposals, or enter into any business with you, till her majesty's commands be complied with ; and therefore desire you will give this affair all possible dispatch."

I have inserted this address at full length, because it alludes to the expedition under Sir William Phips, which has been fully noticed under the history of New-England, as well as for the display it calls forth of the genius and military character of Pennsylvania.

This demand struck at the fundamental principles of their religion, and government ; they plead that they could not bear arms conscientiously, according to their religion ; neither could they raise money for that purpose, to encourage or support war in others ; for in so doing, they were responsible for the evil consequences that resulted from war ; and above all, it was repugnant to the spirit, and genius of their constitution of government, under which they settled, and had so long lived, and therefore they could not comply with her majesty's demands ; "yet in gratitude

to the queen, whose many favours claimed their highest veneration and respect, they voted to raise by way of present to her majesty, the sum of five hundred pounds," &c. but this must be understood as applying to the general support of the government, and not for the sole purpose of supporting the military. By this grant, they shielded themselves under the cloak, that they were not to be answerable for all the uses to which the money might be applied. The assembly closed this grant in the following words. "We therefore humbly intreat the governor, to put a candid construction upon this our proceedings, and represent them favourably to our gracious sovereign the queen, to whom we trust, we shall ever approve ourselves, (though poor,) her most loyal and dutiful subjects," &c.

The governor expressed his disapprobation of the grant, as being totally inadequate to the nature and importance of the service required, and urged the house to a reconsideration of the subject; but without effect, the house were fixed, and passed a vote of adjournment until after harvest; viz. on the 15th day of August. Pending this adjournment, the nature of the service required further supplies from this province, and the governor convened the assembly at an earlier day: when he thus addressed them.

"Gentlemen, &c."

"Our enemies having plundered Lewistown, and watered in the bay, sounding along, as though they meant to make us a nearer visit; I demand therefore some immediate provision to be made in case of emergency. As the heads of several Indian nations are in town, it is necessary to make them some suitable present; that the importance of their friendship, and the easy terms of maintaining it, were too evident to be neglected. That of the money already

granted, nothing now remained; and although money cannot be so promptly raised as the immediate services of government required; yet he hoped that by the means of a credit, their friends might not go away empty, &c. and consequently, their immediate attention to the subject was of importance, to contribute what was immediately necessary on this point; otherwise you must expect a change that will become more chargeable."

The house expressed in their reply, the alarm they felt from the motions of the enemy at Lewistown; regretted their defenceless situation; requested the governor to cause the conduct of the former administrations to be enquired into upon this point, and then met his requisition with an additional grant of 300*l.* for the service, and 200*l.* towards the governor's support. In their turn, they renewed their former request, for a redress of grievances under the late administration.

The governor accepted their grants; but again politely waved their demands, for redress of grievances, &c. and thanked them for their provision which they had made for the Indians, and the session closed.

At their adjourned session in August, the governor remonstrated against their proceedings, with regard to the 300*l.* they had voted for the queen, and the 200*l.* voted for his expences; because they had refused to raise these sums, unless he would redress their old grievances, and thus legislated with a rod over the shoulders of their governor. His excellency endeavoured to point out the absurdity of such legislation, but all to no effect; and the governor declined any further concern in the legislative affairs of the province. The warmth of the assembly, next became pointed in a list of charges exhibited against James Logan, their secretary, and ascribed all their grievances, as well as calamities, to him. In this state of the

parties, this assembly closed and dissolved, and a new assembly was chosen for the October session of 1709.

On the 17th of October, an assembly newly chosen, met, and chose David Lloyd speaker, and the governor opened the session with the following speech.

“GENTLEMEN,

“You are met for no other end but to serve the country, whom you represent; I hope therefore you will study all possible means, that may contribute to the real happiness of that; which, I believe you will find may be much promoted, by improving a good understanding between you and me, in our respective stations.

“I would not look back, willingly, upon some of the proceedings of the last house; only from thence, I must give you a necessary caution, to dwell less, than has been done, upon that general language of evil *counsel* or counsellors, generally used, as an artful method to strike at the counselled; but with me, I believe without occasion; or that of *grievances*, and *oppressions*; words by God’s blessing, understood by few (I find) in this province, who form them not in their imaginations; for I assure you gentlemen, if we are not as happy, as the circumstances of the place will admit, it lies much in your power to make us so; of which I hope you will consider, and use your endeavours accordingly, with full resolution to remove whatever may stand in the way,” &c.

This address the assembly answered the next day, with their usual spirit, and the old controversy was again renewed, and in this case, as in all others where the parties cannot revenge themselves on each other, they generally select such victim from amongst the friends of the parties, as circumstances will admit, and wreak their vengeance on him. This was practised in this case; the house impeached Secretary Logan, and issued a warrant to the

sheriff of the county to arrest and imprison him for trial, lest he should depart for England, as he then proposed. The governor interfered, and set aside this writ, by a supersedeas, and thus opened the way for the secretary to prosecute his intended voyage.

This act of the governor roused the resentment of the house, and they resolved, "*that this measure of the governor was illegal and arbitrary;*" and thus dissolved all further connection between them.

The secretary prosecuted his voyage to England, and with such success as to secure his office from the proprietary, and at an after day he surmounted all the malice of his enemies, and became president of the province; in which office, he presided with popular dignity and respectability.

Party spirit continued to increase in the province, until the government became endangered, and this critical state of affairs called forth the following letter of expostulation from the proprietary.

" London 29th 4th month, 1710.

" MY OLD FRIENDS.

" It is a mournful consideration, and the cause of deep affliction to me, that I am forced by the oppressions, and disappointments that have fallen to my share in this life, to speak to the people of that province, in a language I once hoped I should never have occasion to use. But the many troubles and oppositions I have met with from thence, oblige me in plainness and freedom, to expostulate with you concerning the causes of them," &c.

This letter is too long to admit of being transcribed at full length, I shall therefore compress it into the following substance.

That impressed with the most painful sensibilities at the recollection of what he had done and suffered, through a long life, to promote the happiness, and best interest of that province, together with the ungrateful returns they

had made him, both in their conduct towards him in person, as well as towards his friends ; he could not, but with the deepest regret, express the mortifying disappointment he felt, which had baffled all his former hopes, and threatened to baffle all his future expectations. It at the same time reminded them, that all their complaints about supposed grievances, were futile and groundless, and all their attacks upon the executive part of the government, so many direct attacks upon their own best interest, peace, security and happiness ; and thus concludes :—“ From your next assembly I shall expect to know what you resolve and what I may depend on. If I must continue my regards to you, let me be engaged to it by a like disposition in you towards me. But if a plurality after this shall think they owe me none, or no more than for some years past I have received, let it on a fair election be so determined, and I shall then without further suspense know what I have to rely upon. God give you his wisdom and fear, to direct you, and let your poor country be blessed with peace, love, and industry, and we may once more meet good friends, and live so to the end ; our relation in the truth having but the same true interest.

“ I am, with great truth, and most sincere regard, your real friend, as well as just proprietor and governor.”

WILLIAM PENN.

When we witness that ardent glow of affection that flows through every line of William Penn's addresses to his people ; when we witness the goodness of his heart, that shone so conspicuous in that free and enlightened constitution of government he gave them ; when we witness with what condescension and liberality he met their wishes, in such improvements and alterations as they proposed to this constitution ; when we witness the ardent zeal he displayed in selecting the wise and prudent, to assist and direct them in

the administration of government, who could have expected such ingratitude, to such a benefactor, or such a wanton abuse of so excellent a character as Gov. Gookin, or may I not say, of their own rights, as well as their own best interest, as we have witnessed in the successive sessions of the Assembly for the year past? This was not the spirit of freemen, such as we have witnessed in Massachusetts and Connecticut, under the administrations of an Andross and others; but here was a display of the corruptions of the human heart, wantonly abusing its own mercies through the excess of indulgence, the licentiousness of liberty. I have recorded, and shall continue to record, these facts, as they have occurred, and shall continue to occur, as lessons of instruction, both to the wise, and the unwise; and at a future period, shall call up their recollection to these interesting scenes, and attempt to shew what connection they have with the great subject before us; and what bearing these minute events have had, and will continue to have upon the great and important interests of united America.

The effects of the letter of the proprietary upon the province, were such as do them immortal honor; with the dissolution of this assembly, faction expired, and in 1710, an entire new assembly was chosen, who convened in October; chose Richard Hill for their speaker, and whom the governor met on the 16th, with the following speech:—

The governor, after the usual salutations, proceeded to observe—“That he did not doubt it was obvious to every one, why he could not agree with the other assembly; but as he took them to have different sentiments, they might promise themselves that his ready assent to all bills drawn up for the public good, would not be wanting; and that as he had often expressed his resolution of settling amongst them, he could have no aims contrary to the true interest of the people; that thus a confidence might be established in each other: he hoped they would cheerfully proceed

with their bills, and make such provision for the support of the government, as consisted with the character that the province justly bore, in all her majesty's dominions," &c. He concluded by recommending dispatch in business, and cautioned them against increasing the public debt, by shewing that delay which in former assemblies had already rendered it so heavy, as they would find it difficult to discharge.

The change in the members of the assembly, produced a total change in the feelings and measures of the government; and general discord was now converted into general harmony, and the public good became the prime object of the assembly, through the winter session.

The summer following, the governor convened the assembly, and laid before them an express from her majesty, containing the following requisitions.

“*ANN R—*

“*Trusty and well beloved, we greet you well.*

“Whereas we have sent our instructions to our governors of New-York, New-Jersey, and of the Massachusetts Bay, and New-Hampshire, relating to an expedition against the common enemy, the *French*, inhabiting *North America*. And whereas we have directed our said governors, and Francis Nicholson, Esq. to communicate to you such instructions as relate to the province under your command, &c. in execution of such things as shall then be resolved to be acted and done on your part; in the doing of which we do expect you to use the utmost vigour and dispatch, and for so doing this shall be your warrant; so we bid you farewell.

“Given at our Court, &c. February, 1710-11, &c.”

The result produced by this requisition, was their raising the sum of two thousand pounds, to aid and assist her majesty's cause against the common enemy, the French in

Canada.* Another end proposed by this requisition was, that Gov. Gookin should meet the council of governors, then to be assembled at New-London, in Connecticut, as a grand council of war, to fix the plan of the campaign, as well as the several quotas of men to be furnished by each colony ; as was noticed under Connecticut ; but the notice was so short, that Gov. Gookin was unable to attend. This session was continued and closed with mutual harmony and concord.

At the next session in October, 1711, some change took place in the election of members ; David Lloyd, their old speaker, was again a member ; but Richard Hill, became again their speaker.

At the opening of this session, the governor in his speech announced to the house, the wish of the proprietary to meet the wishes of the assembly in any measures that they might propose for the promotion of the prosperity of the province. The governor also reminded them, “ that he had now been in their service three years, and that the compensation which he had received, as might be seen by the acts of assembly, were far short of what the proprietary had given him to expect from the people.” This strengthened the mutual harmony of the house, and the house made provision for the governor that was satisfactory.

In 1712, William Penn made a formal sale of the province of Pennsylvania, to her Majesty Queen Ann, for the double purpose of relieving himself from the embarrassments in his affairs, which the expenses of the province had occasioned, as well as from the vexatious cares their unhallowed contentions had produced, and which had wasted his health, mind, and spirits ; but before the surrendery was duly executed, the proprietary was seized with an apoplexy, which rendered him incompetent to the act.

* This money was raised by a tax of five pence half-penny on the pound on estates, and twenty shillings per head upon every freeman.

At the October session, Isaac Norris was chosen speaker, and the governor communicated to the house the intentions of the proprietary, and recommended dispatch in business, that he might be useful to them whilst he was continued to them; but the house expressed a wish to adjourn to a more convenient season; the governor complied with their wishes, and they adjourned. Nothing of importance occurred at the adjourned session, or at the subsequent assembly, until October session, 1714, when the house, in a freak, with David Lloyd for their speaker, thought fit to adjourn themselves to the latter part of September, 1715.

The governor was not pleased with this act, and on the 16th of April, he issued his writ to convene the assembly in May. They accordingly met on the 2d day of May, and the governor by his speech let them know, that many pressing exigencies of the government were unprovided for, and required their serious attention. Some warmth took place between the parties, but an accommodation ensued so far as not to impede the necessary acts and laws, to provide for the necessary supplies, and the assembly continued their session into June.

During this June session, great tumults had arisen in Philadelphia, to rescue and screen a criminal offender from the just penalties of the laws, and the assembly preferred a petition to the governor, praying his most strenuous efforts to bring the offenders to justice; to which the governor replied, with assurances that met their wishes. The riots were quelled.

At the October session of the assembly, 1715, Joseph Grawdon was chosen speaker, and the governor signified, in his speech to the house, his desire to return to England, and that he had written to the proprietary for his permission; and he urged them to dispatch in business, that the government might not suffer damage by his absence.

Queen Ann having died August 1st, 1714, and George I. then being proclaimed king, this assembly sent to his majesty their congratulatory address.

In October 1716, Richard Hill was chosen speaker. At this session, the governor expressed a decided hostility against *Quakers*, by refusing to qualify them for office, in due form; and also some bitterness against the speaker, and James Logan the secretary, by charging them with disloyalty to their king, &c. as may be seen hereafter, in a long and laboured address to the governor, which is thus closed—

“ But to sum up the whole, we can truly say, we are extremely troubled that we cannot enjoy the same happiness that most of our neighbours enjoy, of seeing our governor take such measures, as should by an agreeable force, sway the people’s inclinations, to render him easy in all respects, which can be effected by no means so powerfully, as first rendering them easy in the enjoyment of those privileges which they have an undoubted right to,” &c.

This sketch may serve to shew the temper of the address, and the discordant relation that then subsisted between the parties.

As this address consisted of a general uneasiness on the part of the people, rather than any definite, or specific charges; the governor waved a reply and let it pass, as one of the sour things of the day.

In the month of March, 1717, Governor Gookin took a formal leave of the province, in an address by way of message to the assembly, and they voted him two hundred pounds upon the occasion; and in May following, Sir William Keith was appointed to the chair.

On the 19th of August, Governor Keith convened the assembly, and on the next day he met them with the following address.

“ Mr. Speaker,

and Gentlemen of the Assembly.

“ If an affectionate desire to oblige and to serve the people of this province, can qualify me in their good opinions, for the station wherein I am now placed, I may then expect that the country’s and the governor’s interest will be effectually established upon one bottom ; as that he who wishes well to either, cannot but find himself engaged to serve both ; and you yourselves may easily infer the warmth of my inclinations towards the service, and prosperity of this country.” &c.

The governor closes this long and flattering address in the following stile.

“ For that end I am on my part ready to concur with you in every thing which you can possibly desire, or expect from a governor, who conscientiously intends to observe, and steadily pursue the duty of his office.”

To which the assembly made an affectionate reply ; one sentence may serve as a specimen, and thus exhibit the feelings of the parties.

“ May it please the Governor,

“ We gladly embrace this opportunity to congratulate the governor’s happy and safe arrival, &c.

“ This house maturely considering the governor’s speech, find themselves obliged in duty, to make grateful acknowledgments for the governor’s tender regards to the interest of the public.” &c.

This affectionate reply, was followed by an affectionate answer by the governor, which opened the way for the assembly to unite with the governor, in as affectionate and loyal an address to his Majesty King George I. expressive of their grateful acknowledgments for his tender care and concern, so uniformly expressed for the peace and

prosperity of that province, &c. at their spring session in May, 1718.

This long session the governor closed with another conciliatory address, in which he thus expresses himself—"I am highly gratified on account of the valuable and wholesome laws, which were composed with so much care, by your diligent application, and the great temper and perfect unanimity, wherewith the public affairs have been carried on, through all the parts of the administration of the government, for the last twelve months," &c. which must convince every one of the good that necessarily results from such a harmony.

At this eventful period, when the colony began once more to enjoy the smiles of peace, happiness, and concord, which she had been accustomed to enjoy under the fostering care of her old proprietary, died William Penn, the friend of man, and the benevolent founder, and patron of the province of Pennsylvania. The character of this excellent man may be seen in his writings, and in his life, where it ought to be read, and studied, by every one who wishes to cultivate a practical temper of love to God, and benevolence to men.

CHAPTER XX.

PENNSYLVANIA CONTINUED.—FROM THE DEATH OF WILLIAM PENN, TO THE ADMINISTRATION OF GOV. GORDON, 1726, WITH REMARKS.

IN our last we have witnessed the death of the venerable father of this province, we pass over the particulars of his will, and the disposal of his estate generally. [See *Proud's History of Pennsylvania, Volume II. page 114.*]

The death of the proprietary, was announced to the assembly at their October session, when Jonathan Dickinson was chosen speaker; at this session it appeared that the proprietary's death rendered the deputy-governor's office as governor, *ex officio*, permanent, until special orders from the king, or the heir at law; yet the modesty of Lieutenant-Governor Keith led him to consult the council, who unanimously confirmed the decision of the law, in his favour. The governor laid the decision of the council before the assembly, and received also their approbation, with an expression of "thanks, for his care of the public weal."

At this time William Penn, then heir at law, claimed the government of the province, but he having died about this time at Liege, his eldest son Springett claimed the government. These claims, together with the connection they have with the last will and testament of the proprietary, occasioned an address from Governor Keith, to the General Assembly, requesting their advice and assistance upon the subject. The governor concludes this address, by giving notice that a party of southern Indians, in a war excursion against the Five Nations, had fallen in with, and killed several of their (Pennsylvania, or Susquehannah) Indians, near the head waters of the Potowmac, and

requested advice upon the subject. To this address the assembly replied, by way of thanks, for his wise and dignified administration, and expressed their wishes, that he would continue to rule in wisdom, and in peace; and assured him of their support in conducting the hostile aggressions of the Indians, in such a manner, as shall best promote the peace and safety of this province.

The controverted claims amongst the heirs at law of William Penn, were decided in a court of Chancery in England, in favour of John, Thomas, and Richard Penn, minor heirs of the elder William Penn; and the Widow Hannah Penn, as executrix, had the government vested in her, and other trustees, in trust for these minors. No legislative act of moment occurred in 1719; but at the spring session of the assembly in 1720, the governor proposed to institute a Court of Chancery by law, in that province, to which the assembly assented; and in August, the governor issued his proclamation, wherein he erected and established such Court of Chancery, in the following words—
“ I have thought fit by and with the advice of the council, to publish and declare, that with their assistance, I propose to open *and hold a Court of Chancery, or equity*, for the province of Pennsylvania, at the court-house in Philadelphia, on Thursday the 25th day of this instant August; from which date the court will be, and remain always open, for the relief of the subject, to hear, and determine, all matters arising within the province aforesaid, as are regularly cognizable before any Court of Chancery in England,” &c.

The governor next went into Virginia, and settled a treaty with that government, and their Indians, that laid an amicable foundation for a good understanding between the Virginia and Pennsylvania Indians hereafter, and on his way back again, he met a council of the Conistoga and Susquehannah Indians, at Conistoga; where a deputation

of the Five Nations attended. The governor addressed the council, and explained the treaty of Virginia, and urged them to a strict compliance with its terms ; and also addressed at the same time the deputation of the Five Nations, in the most friendly manner. This address was echoed back by one of the chiefs, in a manner as cordial as it had been delivered, and thus the blood that had been spilt, was amicably wiped away, and peace confirmed by a mutual interchange of presents. This ceremony being thus ended, the governor returned to Philadelphia, and all was peace.

In the spring of the year 1722, one of the Pennsylvania Indians was murdered by some white men, (as was supposed,) near Conistoga, and upon a report of the same being made to the governor, he deputed James Logan and Col. John French, to repair to Conistoga, and make diligent search into the affair, which was accordingly done, and the persons suspected were arrested and imprisoned ; but no proof appearing decidedly against them, at the request of the Five Nations, they were set at liberty, and the Indians were satisfied, and the peace continued. At this time the Indians again renewed their request, that the English traders might be restrained from selling rum to the Indians ; alleging that it was the cause of all their quarrels. The assembly met the request, and passed the act accordingly. The assembly at the same time laid a duty upon all negroes imported into the province, &c.

About this time there appeared to be an unusual scarcity of money, and an unusual number of petty lawsuits, both which called up the attention of the people to an emission of paper money ; but having the example of the northern colonies before them, they entered with great prudence and caution upon the subject. Pending this question before the assembly, the merchants, and gentlemen of the first respectability, laid before the house a long, but dignified

address, in which they took the liberty to point out the evils that most generally had attended paper money, both in England and America, and most probably would attend an emission in that colony. The governor also addressed the house upon the subject, to the same end; but added at the close of his address, "Gentlemen, these are most frankly and sincerely my sentiments upon the matter before you, and as I do not find myself disposed to dispute, or shew any stiffness or obstinacy in the affair, I shall rely very much upon your diligent circumspection and care, for the good of your country, being still ready to give you all the assistance in my power." Under this weight of caution, the assembly proceeded to issue bills of credit to the amount of 15,000*l.* in January, and the governor passed the act in March following.

The assembly guarded this emission with so much caution, that it went into circulation under the patronage of such public confidence, that its good effects were so generally felt, as to induce the assembly, at the close of the year, to issue an emission of 30,000*l.* more, making the whole amount to the sum of 45,000*l.* This money was loaned upon the security of real estate, and by increasing the circulating medium, apparently relieved the burthens of the people; but when the first instalment became due, in which the money was to be repaid, the people began to feel their old burthens, and when the second annual instalment became due, and the sum of only 6,110*l.* 5*s.* had actually been paid upon the full sum of 45,000*l.* such was the public distress, that the assembly were constrained to pass an act for the continuance of the remainder, for a term of eight years longer. It appears that the 45,000*l.* had, at the time of the first instalment, depreciated down to the value of 29,000*l.* 15*s.* which is but a little more than one half of its original value, 1726.

In 1729, five years before the next instalment became due by law, such was the pressure for money, that the assembly issued an emission of 30,000*l.* more, upon double security in real estate, as at the first, and payable in annual instalments, as before. In 1731, the assembly took the precaution to resolve that the bills of credit which would begin to become payable in 1734, should be re-continued eight years longer. In 1739, such was the pressure for money, that the assembly issued a new emission to the amount of 11,000*l.* more, making a sum total of about 80,000*l.* which as it was then estimated, was worth in market about 50,000*l.*; such was the depreciation, and such the pressure: and at this time only £6,110 5*s.* had been repaid upon the whole sum.

At this time it appears that the merchant sold his goods at a handsome advance, from the former prices, and with quick sales; but the produce of the farmer, and the wages of salary-men and labourers, were not increased from the former standard prices, so that they became the sufferers of nearly fifty per cent. under the depreciated paper money. Thus much for paper money.

In the year 1724, a controversy commenced between the governor and the proprietary interest, which proceeded with so much warmth, that Gov. Keith was superseded by Patric Gordon, in the summer of 1726. Gov. Gordon entered upon the duties of his office, and met the assembly at their October session with a dignified firmness, moderation, and prudence, which continued to distinguish his administration.

In 1731, such was the prosperity of the province, that although first planted in 1680, seventy years after Virginia, yet it then contained a more numerous white population than the three colonies of Virginia, Maryland and Carolina. The reasons assigned for this by their excellent historian, Robert Proud, are, their kind and equitable treatment of the

natives ; their mild constitution of government, their just and equitable laws, and their free and liberal toleration in religion.

The commerce of Pennsylvania at this time had become respectable, and their historian observes that “ their exports consisted of wheat, flour, biscuit, beef and pork in barrels, bacon, hams, butter, cheese, cider, apples, soap, myrtle-wax candles, starch, hair-powder, tanned leather, bees-wax, tallow candles, strong beer, linseed oil, strong waters, deer skins, and other peltry, hemp, &c. with some tobacco ; lumber, cypress wood shingles, cask staves, headings, masts and other ship timber, drugs of various kinds, and lastly about two thousand tons of shipping annually, over and above the demands of their own trade, which equalled about six thousand tons. They send great quantities of corn to Portugal, where they often sell both ship and cargo, and carry a return in goods. Their West-India trade furnished their specie, and West-India goods, both which they carry to England to pay for dry goods, &c.— This, with their trade with the other colonies, and the Canaries, Azores, Newfoundland, the Mediterranean, &c. gives them an annual revenue of about 60,000*l.* ; all this the colony has attained to, in about fifty years from her first settlement, 1680.

INDIAN HISTORY CONTINUED.

To the northward of these, (meaning the Manahoack, or Virginia confederates) there was another powerful nation, which occupied the country from the head of the Chesapeake Bay, up to the Kittatinney mountains, and as far eastward as the Connecticut River, comprehending that part of New-York which lies between the Highlands and the ocean, all the state of New-Jersey, that part of Pennsylvania which is watered below the Kittatinney mountains, by the rivers or streams falling into the Delaware,

and the county of New-Castle, in the State of Delaware, as far as Dutch Creek. It is to be observed that the nations of Indians distinguished their countries from each other by natural boundaries, such as ranges of mountains, or streams of water. But as the heads of rivers frequently interlock, or approach near to each other, and as those who live upon a stream, claim the country watered by it, they often encroached upon each other, and this became a constant source of war between the different tribes. The nation occupying the country last described, called themselves Lenopi. The French writers called them Loups; and among the English they are now commonly called Delawares. This nation or confederacy consisted of five tribes, who all spake one language. 1. The Chihohocki, who dwelt on the west side of the river now called Delaware; but which by the Indians was called Chihohocki. 2d. The Wanami, who inhabit the country called New-Jersey, from the Rariton to the sea. 3d. The Munsey, who dwelt on the upper streams of the Delaware, from the Kittatinney mountains down to the Lehigh, or western branch of the Delaware. 4th. The Wabinga, who are sometimes called River Indians, sometimes Mohiskanders, who had their dwelling between the west branch of Delaware and Hudson's River, from the Kittatinney ridge down to the Rariton; and 5th, the Mahickon, or Mahattan, who occupied Staten-Island, York-Island, (which from its being the principal seat of their residence was formerly called Mahattan,) Long-Island, and that part of New-York and Connecticut, which lies between Hudson and Connecticut Rivers, from the highland, which is a continuation of the Kittatinney ridge, down to the sound. This nation had a close alliance with the Shawanese, who lived on the Susquehannah, and to the westward of that river, as far as the Alleghana mountains, and carried on a long war with another powerful confederacy of Indians, who lived to the north of them, be-

tween the Kittatinney mountains, or highlands, and the Lake Ontario, and who call themselves Mingoës, and are called by the French writers Iroquois, by the English the Five Nations, and by the Indians to the southward, with whom they were at war, Massawomacs. This war was raging in its greatest fury, when Capt. Smith first arrived in Virginia. The Mingo warriors had penetrated down the Susquehannah to the mouth of it. In one of his excursions up the bay, at the mouth of Susquehannah, in 1608, he met with six or seven canoes full of their warriors, who were coming to attack their enemies in the rear. In an excursion which he had made a few weeks before, up the Rappahannock, and in which he had a skirmish with a party of the Manahoacs, and taken a brother of one of their chiefs, prisoner, he first heard of this nation. For when he asked the prisoner why his nation attacked the English? the prisoner said because his nation had heard that the English came from under the world, to take their world from them. Being asked how many worlds he knew? he said he knew of but one, which was under the sky that covered him, and which consisted of Powhatans, the Manakins, and the Massawomacks. Being questioned concerning the latter, he said they dwelt on a great water to the north, that they had a great many boats, and so many men, that they waged war with all the rest of the world. The Indians here referred to, were the confederacy of the Five Nations, which have been particularly noticed under New-York. The Delawares had sometime before carried on a war with the Adirondacs who live on the northern side of the Lakes Erie, and Ontario. In this war they were worsted: but having made peace with them through the intercession of the French, who were settling Canada, they turned their arms against the Lenopi; and as the war was long and doubtful, they not only exerted their whole force, but put in practice every measure which prudence

or policy could devise, to bring it to a successful issue. For this purpose they bent their course down the Susquehanna, warring with the Indians in their way, and having penetrated as far as the mouth of it, they by the terror of their arms, engaged a nation now known by the name of Nanticocks, Conoys, and Tuteloes, who lived between Chesapeake and Delaware Bays, and bordering on the tribe of Chohocki, to enter into an alliance with them.— They also formed an alliance with the Monakans, and stimulated them to a war with the Lenopi and their confederates. At the same time the Mohawks carried on a furious war down the Hudson, against the Mohicrons and River Indians, and compelled them to purchase a temporary, and precarious peace, by acknowledging them to be their superiors, and paying an annual tribute. The Lenopi being surrounded with enemies, and hard pressed, having lost many of their warriors, were at last compelled to sue for peace, which was granted to them upon the condition that they should put themselves under the protection of the Mingoes ; confine themselves to raising corn, hunting for the subsistence of their families, and no longer have the power of making war. This is what the Indians call making them women. And in this condition the Lenopi were, when William Penn first arrived and began the settlement of Pennsylvania, in 1662.

From the figurative language of the Indians, as well as from those we are still acquainted with, it is evident that it was, and still continues to be, a constant custom among the Indians, to gather up the bones of the dead, and deposit them in a particular place.* Thus when they make peace with any nation with whom they have been at war, after burying the hatchet, they take up the belt of wampum and say, “ We now gather up all the bones of those who have

* These depositories were called barrows.

been slain, and bury them," &c.—[*See all the treaties of peace.*] Besides, it is customary, whenever any of them die at a distance from home, to bury them, and afterward to come and take up the bones and carry them home. At a treaty which was held at Lancaster with the Six Nations, one of them died, and was buried in the woods, a little distance from the town. Sometime after, a party came and took up the body, separated the flesh from the bones, by boiling and scraping them clean, and carried them to be deposited in the sepulchres of their ancestors. The operation was so offensive, that no one could come near them while performing it. *Jefferson's Notes.*

N. B. Joseph carried the bones of his Father from Egypt to Canaan, to bury them in the family tomb, and his descendants carried his bones also to bury them in Canaan, when they went up out of Egypt, to return to the land of their fathers. This custom, among many others, bears the mark of Jewish origin, and supports the conjecture, that these Indians are the descendants of the ten tribes. William Penn also remarks, that Indian children very exactly resemble the Jewish children which are seen every day in London, and from this, with many other strong circumstances, he does not hesitate to conclude, that the Aborigines of North America were of Jewish origin.

CHAPTER XXI.

CAROLINA CONTINUED FROM THE SECOND INDIAN WAR, AND THE DISPERSION OF THE TUSCARORAS, TO THE PURCHASE OF THE PROPRIETORS' RIGHTS AND GOVERNMENT, BY THE CROWN, 1729—WITH THE ADMINISTRATION OF GOVERNOR JOHNSTON.

WE closed our last chapter on Carolina, with the second Indian war, and remarks upon the situation of the colony, as to population, government, &c. We will now commence the history of the colony with the administration of Governor Eden, who arrived May, 1714.

In carrying forward the colony of New-York, we have had occasion to notice the disposition of certain characters high in office, to carry a slack rein of government towards certain pirates that infested the coast; for that buccaneering spirit which had raged with so much success upon the coasts of Spanish America, in the 17th century, as to occasion King Charles II. to confer the honor of knighthood upon the noted, yet very successful pirate Morgan, had now extended to the American coast, and claimed the attention of others, as avaricious, though not as successful knaves, and finally occasioned the mission of Lord Bellomont as governor of New-York, to suppress these corrupt practices. The success of his lordship in taking and executing the noted pirate Kid, in the port of Boston, we have noticed, as well as the suspicions that fell upon Fletcher, and others. Governor Eden had not long been in office before the same suspicions fell upon him, and he was accused of holding piratical intercourse with the noted pirate Theach, (commonly called Black Beard,) through the agency of the secretary of the province and collector of the customs, Tobias Knight. Although Lord Bellomont had exerted himself to suppress piracy upon the American

coast, yet it was found to be a task too difficult for one man to accomplish. King George I. made an attempt to suppress it by offering pardon by proclamation, to all such pirates as should surrender themselves to any of the colonial governors within a given time. This policy had a good effect; Black-Beard and twenty others embraced the amnesty, surrendered themselves to the governor of North-Carolina, and took the oath of allegiance to the king. The intemperate and debauched habits of Theach, soon stripped him of his ill-got wealth; and his poverty, added to a corrupt disposition, led him to procure a small vessel, fit her out on a voyage, and return to his wonted piratical life. Again Theach was successful in his cruize, and returned to port with a French ship richly laden with sugar, coffee, and cotton. By the false oaths of four of his people, he entered his prize as a ship he had found abandoned at sea; he next landed his goods, and attempted to grave his vessel for another cruize; and to secrete his cargo, he stored twenty barrels of sugar in the barn of Secretary Knight, at whose house he was a steady visitor. This rendered the character of the governor and his secretary somewhat suspicious; *a man is generally known by the company he keeps.* The governor of Virginia, at the same time, offered a reward for Theach, and his associates; this roused up a Lieutenant Maynard, who commanded an armed ship, which lay in the roads, and he set sail in quest of Theach; found him, in the readiness of a pirate, bound on another cruize; attacked him, and in the heat of a desperate action, killed him and nine men out of seventeen of his crew; the rest were taken. Lieutenant Maynard had thirty men killed and wounded in the action. The pirates were tried in Virginia, and four were executed upon their own confessions, after being convicted upon the testimony of one of their comrades, who turned king's evidence. Thus the truth was disclosed, and justice took place in part.

One circumstance worthy of notice appeared against Knight; his letter directed to Theach, and containing a secret therein alluded to; but not to be expressed, shewed their intimacy at least, if not Knight's guilt; this added to the testimony of Hand, the king's evidence, fixed guilt very strongly upon Knight, and in some degree involved the governor in the suspicion. These facts, added to the circumstance of a silver cup having been found in the possession of Knight, which it appeared had been plundered from a boat on the river, by Theach, a few days before, rendered the suspicions very strong. Yet all this amounted to nothing, and the secretary and governor both escaped without further enquiry.

At this time a *mob of gentlemen* broke into the office of the deputy-secretary, and seized the public records; they were arrested by an armed force, at the order of the marshal, and taken into custody; when one of the rioters reflected severely upon the governor, as being more severe against honest men than against pirates.

In March 1722, Governor Eden died, and Thomas Pollock was again chosen president; who died shortly, and was succeeded by William Reed, in the presidency, who presided until George Barrington, the governor, arrived the ensuing summer.

In the year 1717, the county of Bath had been alarmed by an other insurrection of the Indians, and several white people were murdered; but the vigilance and activity of the English, soon compelled the Indians to sue for peace, which was granted the same year.

“Governor Barrington,” says Dr. Williamson, “is not charged, nor was he chargeable with fraud, or corruption, for he despised rogues, whether they were small or great. Nor could he be suspected of cunning; *a vice that is the more dangerous, because it personates a virtue*. But he sailed without ballast.” &c. He was appointed to the

office of governor because he needed a place, as the poor descendant of a worthy father. Such a man was deservedly removed soon, to stop the voice of public clamour; and Richard Everard was appointed in his place. Governor Barrington, on becoming a private citizen, was obliged to flee, to avoid the persecutions of his numerous creditors, and he left the province.

Thus we see, again and again, from New-Hampshire to Carolina, the perpetual evils that resulted from governors, who were appointed by, and accountable to a foreign master; independent of the people, and regardless of the people's rights. We shall have occasion to observe in the sequel, why these things were permitted, and what special good resulted from these partial evils, and how they were overruled for the benefit of the common cause.

In 1711, the Colonies of Virginia and Carolina, made an attempt to run out and settle their boundary line; but such were the delays and difficulties in adjusting this business, that in 1728, they had made no progress, and the parties could not be agreed upon one starting point. The affair now having become serious from its importance, as well as from its long delay, the parties finally agreed upon a point at Currituc Inlet, thirty-six degrees thirty-one minutes north, and proceeded to run out the line to the satisfaction of the parties.

Thus, at the commencement of the administration of Governor Everard, was that bone of contention removed that lay between Virginia and Carolina, and although many settlers were in possession of Carolina lands under Virginia grants; yet all was amicably adjusted, and the parties remained quiet. Although this controversy was so happily closed under this administration, it carried not the same harmony into all its parts. The Governor was generally imprudent; he neither rewarded the innocent and virtuous, nor punished the guilty and the corrupt;

and under such a character he lost the confidence of the people, as well as of his council. When the assembly remonstrated against a corrupt judge, the governor disregarded their remonstrance ; when his council dissented in opinion, the governor railed and became boisterous ; the council took advantage of his want of dignity, as well as temper, and railed in their turn, and thus they appealed to the proprietors with mutual criminations, to the disorder and confusion of the government, and the grief of all good men.

ADMINISTRATION OF GOVERNOR JOHNSTON.

In the two governments of Carolina, (North and South,) have existed the same evils, and the people now began to trace them to their true cause ; viz. a foreign governor, who was neither elected by, nor amicable to the people. The proprietors had hitherto appointed the governors, and the crown now exercised the same power, and the same evil consequences had followed, and continued to follow, as we have witnessed in the colonies of the north, when under crown governors. Avarice and dominion were the characteristic features of their administrations, and the people mourned. Tired of these rods of the proprietors, the people in South-Carolina proceeded to depose their proprietary governor, and elect one from the body of the people ; but in North-Carolina the people bore the scourge with sullen contempt, until it became by right of purchase vested in the crown ; excepting the right of one eighth, which Lord Carteret reserved to himself and his heirs, upon certain conditions of quit-rent therein specified ; the remaining seven eighths being conveyed by the proprietors to King George II. in 1729, for seventeen thousand five hundred pounds sterling, reserving to Lord Carteret his one eighth upon the northern border,

and adjoining the Virginia line. A difficulty was involved in the location of this right, because the original grant or charter, embraced eight degrees and a half of latitude, viz. from the 29th to the 37 deg. 30 min. of north latitude, which would give to Lord Carteret for his one eighth part, seventy two miles in width, which was actually set off to him ; but was in fact, eight or nine miles too much ; because St. Augustine stands in 29 deg. 27 min. and East Florida was never claimed as a part of Carolina ; therefore the proprietors had no claim to any part of the 29th degree, any further than as being their southern boundary, which actually gave them 7 deg. and 30 min. instead of 8 deg. 30 min. as was supposed.

At this time his majesty thought^{fit}, for some consideration hard to be conjectured, upon the removal of Governor Everard, to reappoint Governor Barrington, whose vile and corrupt administration has been noticed. The council, as well as the governor, were in the hands of the crown, and at this time consisted of seven, three of whom formed a quorum with the governor. Governor Barrington re-entered upon the administration of North-Carolina, February 1731. His first task opened with an enquiry into the causes of the controversy between the late Governor Everard and his council. When the governor called upon the old council, or any part of them as witnesses, the new council objected, because they were not disinterested ; but parties. When he called upon the judges and assistant judges, which the late governor had appointed, their powers and jurisdiction as judges, were questioned ; because, as was alleged, the whole judicial power, was vested by the crown, in the supreme or chief judge, and thus the parties were at issue, in attempting to heal an old quarrel.

The assembly next proceeded to acts of legislation, and presented a bill, “ for ascertaining the fees of pub-

lic officers, and making tobacco a tender, at ten shillings the hundred, in payment of quit-rents." The governor refused to pass this bill, and prorogued the assembly, to meet on the 2d of November; but the governor then being absent, he again prorogued the assembly to the first Tuesday of April, 1732.

The next subject that engrossed the attention of the people, was an impeachment that was laid before the governor and council, against the judge of admiralty, Edmund Porter. The crimes of which this offender was accused, were numerous, and of the blackest die; and after a full hearing, he was convicted of "sundry notorious crimes;" whereupon he was suspended from his office as judge, and from the council board.

Governor Barrington next became entangled with a complaint brought before him when at Wilmington, by the master of a vessel, against a merchant of that place, for refusing to fulfil his contract. The governor laid the complaint before his council, of which the merchant was a member, and who denied the jurisdiction of the court in such cases; but in the course of enquiry, the fraudulent designs of the merchant were very conspicuous, and although the court could not try and determine the cause; the merchant could become, and did become the avowed enemy of the governor ever after, and treated the imprudences of the governor with great severity. The next irregularity of the governor, was to order his servant to burn a poor man's hut or cabbin, which he had inadvertently erected upon one of his waste fields; which wanton act exposed him to the reproach and contempt of the populace, as a barbarous unfeeling tyrant, and rendered the remainder of his administration, in connection with his other imprudences, so tempestuous that he could not long resist the storm; but retired from the government, and sailed for England April, 1734; where he was murdered soon

after, and robbed of a large sum of money at the same time, in St. James' Park.

The departure of this scourge of the people opened the way for a minister of justice, and of peace, under the wise and prudent administration of Governor Johnston, who entered upon the duties of his office, November 1734.

The first objects of importance that claimed the attention of Governor Johnston, were the provision of schools for the instruction of youth, and the support of public worship: these he recommended to the assembly, most pressingly, and urged at the same time, an amendment of the laws, alleging that the neglect of these three important objects, had been, and would continue to be the cause of all the troubles of Carolina. Impressed with the truth, and importance of the recommendation, the assembly made provision for the support of a particular church, to the neglect and prejudice of all others, which again soured the public mind; they also granted money to support a seminary, without making provision for common schools; but the seminary was no further encouraged, and lay dormant, whilst the strife of party promoted the religious establishment which the assembly had fostered. They next attempted to amend their laws; but at the same time, paid no regard to their depreciated paper money, unless it was to ruin it by increasing its quantity by new emissions, to supply the place of its depreciation, which they did in 1729, by an increased emission of forty thousand pounds, and in 1734, by another emission of ten thousand pounds. Although these bills had not depreciated below three and a half for one, in 1730, yet in consequence of the emissions of '29 and '34, the bills were down to seven and a half for one, in the year 1739. This was not peculiar to Carolina; we have seen that it had been, and continued to be common to all the colonies, and had for its basis necessity and corruption. The scarcity of a circulating medium is

common to all new countries; but was peculiarly so in America, in the early settlements, and called for small emissions in times of war, which should have been redeemed soon, and often, if repeated; but it soon became an engine of speculation, and a popular bounty upon rogues, who borrowed the bills when they were worth six shillings the dollar, and paid them in return, when they were worth only one half, or one fourth, and one seventh of their original value; so that the value of one dollar when borrowed, would pay in return two, four, or even seven or ten dollars; thus rogues became rich, and honest men were ruined. Thus says Dr. Williamson—"There were men who were banished Carolina for stealing a hog, whilst those who banished them would contend for paying a debt of seven pounds with the value of twenty shillings." Thus the public mind becomes corrupted, by the sanction of corrupt laws, and great rogues are caressed whilst small rogues are punished. The value of every thing is depreciated directly in proportion to the facility with which men can acquire, or obtain it.

We have noticed heretofore, that the articles of known and current value, generally used in payment of debts in Carolina, were deer skins, bees-wax, &c. which had ever been received in payment of quit-rents, and all other debts at their known and established value. The next proceeding of the assembly was to pass a law, making their bills of credit a lawful payment in discharge of their quit-rents; but the governor, in justice to himself and to the crown, could not pass such a bill. The assembly next endeavoured to force such a tendery; but the public officers refused the money, and proceeded to distrain for the rents; the assembly next ordered the officers to be imprisoned; the governor then dissolved the assembly, to suppress this worst of tyranny, March 4th, 1739. The same spirit prevailed in a succeeding assembly, and the governor dissolv-

ed that also. At this time a new evil appeared in the government ; Smith, the chief justice, was highly censurable in some of his conduct, and an attempt was made to impeach him before the assembly ; but he, by his address and popularity with his party in the house, so managed as to defeat the attempt, by preventing a quorum of the house from being present at any one time, until the governor could dissolve the assembly. The governor next issued his writs for the election of a new assembly, and Smith, by his influence and intrigues, obtained a majority of his friends in the house, so that when his impeachment came before the assembly, the business was hurried through, without giving time for the prosecution to collect testimony, and the chief justice was acquitted, because the whole charges were not proved.* The writer of the history of Carolina has inserted this case, for the double purpose of shewing the corruption of the chief justice, in committing the crimes, and the criminality of the governor in shielding him from justice, by hurrying his trial through, before testimony demanded could possibly be obtained. It is injurious to the best interests of a community, when small offenders are suffered to violate the laws with impunity ; but the evils are incalculably greater, when public officers are suffered to violate the laws with impunity ; this operates as a bounty on rogues, from the pernicious effects of examples in authority. I am sensible that a time of party is always a time of tyranny, and that the cloak of party often has covered, and often will cover the grossest offenders, and protected the blackest crimes ; and it may be remembered, that in this way parties become a scourge to themselves, as well as to their opponents ; for the villain whom they have shielded, often, very often, rewards his protectors

* The charges alleged against Judge Smith were numerous, and many of them of the highest criminality.

with aggravated crimes, as well as the blackest ingratitude. We will now pursue this evil in its consequences.

The legislature had hitherto occasionally met at Brunswick, which was incorporated ; but soon after the acquittal of Judge Smith, a bill was brought into the assembly to establish the town and port of Wilmington ; when the bill came before the council, they were divided, four against four, the vote of the president being counted to make the tie ; in addition to this, he claimed the right of a casting vote, which decided the bill in the affirmative, and the governor gave it his approbation. This bill excited much warmth of party feeling, because much interest was connected with the question ; and the feelings and passions of the partizans of Judge Smith, took sides in the dispute, and this entangled the parties in harsh, opprobrious reproaches and calumny ; but the affair passed off without violence.

At this time the precincts were converted into counties, and the marshals were called sheriffs.—March 6, 1738.

We have noticed before, the embarrassments that lay upon Lord Carteret's share of the colony ; this embarrassment had, until this time, prevented the sale of his lands. The governor now took up the subject, agreeable to his instructions, and appointed Holton, Allen, Rowan, and Forbes, all members of the council, together with Gould, the surveyor general, in behalf of the crown, to unite with Mosely, Moore, Rice, and Abercrombie, on the part of Lord Carteret, to run out the line.—April, 1743.

These commissioners entered upon the duties of their appointment, and run out the line from the coast to Pamlico River. In April, 1746, three of the said commissioners continued the line, until they had run out one hundred and three miles, and two hundred and seventeen poles ; when they stopped ; but with orders to finish the line.

The next subject that occupied the attention of the house, was a dividing line between the colonies, or governments of

North and South Carolina : hitherto the division had been only nominal. The assembly accordingly appointed Robert Holton, Matthew Rowan, and Edward Mosely, on the part of North Carolina, to run out the division line. The object of the parties was, to leave land to the south of Cape Fear, sufficient for a county, that one of the chief ports of the north government might be upon Clarendon River. To effect this, the commissioners commenced their line at the mouth of Little River, and ran upon a north-west course, until they struck the thirty-fifth degree of north latitude, and from thence they ran a due west line, until they reached the river Pedee, 1737. In the year 1764, the line was extended twenty miles further, at private expense. In December, 1771, his majesty directed Gov. Martin to complete this line, with particular instructions as to its several courses and distances ; but the legislature refused to appoint commissioners, and it then failed.

Things had now very generally become quiet under Gov. Johnston's administration ; and the paper money was fast rising in its value, when an expedition was projected against Carthagen, (as has been noticed under New-England,) and North Carolina raised four hundred men to embark on this foreign adventure, 1740. A tax of three shillings on the poll was then levied, to bear the expenses of this expedition, made payable in all the articles of barter heretofore enumerated, or in current bills of the colony, at seven and a half for one ; which tax served to call in the principal part of the paper money at that time in circulation.

At a session of the assembly at New-Bern, the question arose of fixing the capital, or seat of government for the colony, either in that town, or at some place more southerly, or at Bath. The parties became warmly divided, and a sharp controversy ensued. Hitherto the eastern counties had possessed a majority in the representation, because they

had been the most numerous ; and by this majority, they now were able to fix the seat of government where they chose, which was at Bath ; in order to correct this evil, which the crown had hitherto ordered to be corrected, but which order was not regarded, the governor managed so as to prorogue the assembly, and then call a meeting of the assembly, at such time and place as would render it difficult for the eastern counties, whose representation was too numerous, to attend ; this plan succeeded, and the house at this session reduced these counties from the number of five, to the number of two representatives each, agreeable to the standard of the other counties, and thus fixed the seat of government. Great heat arose out of this finesse, the party aggrieved carried their complaints to the king ; the governor explained to his majesty, and finally the change went into future operation, without any thing further or more serious arising out of it. This question was soon lost in a question of land-jobbing, in which Henry M'Culloch, and others, attempted to swindle his majesty out of about sixty thousand acres of land, and finally succeeded.

In 1744, the defence of the sea-coast claimed the attention of the assembly ; the war, then commenced between England and Spain, led them to realise their defenceless situation. At the mouth of Clarendon River, stood Fort Johnson, and three other forts had been erected upon the coast, yet a Spanish privateer landed at Brunswick, and began to plunder the town. Alarmed for their safety, they rallied a force, and commenced so brisk an attack upon the privateer, that she was blown up and destroyed, and the town relieved.

CHAPTER XXII.

VIRGINIA CONTINUED.

RELIGION is the vital principle, the *primum mobile*, the test of the true worth and greatness, both of nations and individuals ; whatever may be the characteristic stamp or feature of their religion, such will be the characteristic stamp or feature of their character and government. Popery and Episcopacy are as incompatible with a republican government, as the religion of Methodism and Quakerism are with absolute monarchy. Impressed with the truth of this remark, I have endeavoured to illustrate the true stamp of the religious character of the several colonies of America, by unfolding that religious character which they severally brought out from Europe and planted as the basis of the rising colony ; whenever this has been doubtful, I have passed it over in silence. In the history of the early settlement of Virginia, it appears that a rigid Episcopacy, interwoven with the rigid principles of monarchy, was the stamp of the religion of this colony. It may be of some use in this place, to illustrate more fully the religious character of Virginia, down to the period of the American revolution, by the following extract from Mr. Jefferson's Notes on Virginia, page 218.

“The first settlers in this country [*colony*] were emigrants from England, of the English church, just at a point of time when it was flushed with complete victory over the religious of all other persuasions.* Possessed, as they became, of the powers of making, administering, and executing the laws, they shewed equal intolerance in this country, with their Presbyterian brethren, who had emigrated to the northern

* See the reigns of Queen Elizabeth, and James I. in the incipient stages of this work.

government. The poor Quakers were flying from persecution in England. They cast their eyes on these new countries as asylums of civil and religious freedom; but they found them free only for the reigning sect. Several acts of the Virginia assembly of 1659, 1662, and 1693, had made it penal in parents to refuse to have their children baptized; had prohibited the unlawful assembling of Quakers; had made it penal for any master of a vessel to bring a Quaker into the state; had ordered those already here, and such as should come thereafter, to be imprisoned until they should abjure the country; provided a milder punishment for their first and second return, but death for their third; had inhibited all persons from suffering their meetings in or near their houses, entertaining them individually, or disposing of books which supported their tenets. If no execution took place here, as did in New-England, it was not owing to the moderation of the church, or spirit of the legislature, as may be inferred from the law itself; but to historical circumstances which have not been handed down to us. The Anglicans retained full possession of the country, [*colony*] about a century. Other opinions began then to creep in, and the great care of the government to support their own church, having begotten an equal degree of indolence in its clergy, two-thirds of the people had become dissenters at the commencement of the present revolution. The laws indeed were still oppressive on them, but the spirit of the one party had subsided into moderation, and of the other had risen to a degree of determination which commanded respect.

“ The present state of our laws on the subject of religion is this. [1781-2.] The convention of May, 1776, in their declaration of rights, declared it to be a truth, and a natural right, that the exercise of religion should be free; but when they proceeded to form on that declaration the ordinance of government, instead of taking up every principle

declared in the bill of rights, and guarding it by legislative sanctions, they passed over that which asserted our religious rights, leaving them as they found them. The same convention, however, when they met as a member of the General Assembly in October, 1776, repealed all *acts of parliament* which had rendered criminal the maintaining any opinions in matters of religion, the forbearing to repair to church, and the exercising any mode of worship ; and suspended the laws giving salaries to the clergy, which suspension was made perpetual in October, 1779. Statutory oppressions in religion being thus wiped away, we remain at present under those only imposed by the common law, or by our own acts of assembly. At the common law, *heresy* was a capital offence, punishable by burning. Its definition was left to the Ecclesiastical judges, before whom the conviction was, till the statute of the 1 Eliz. ch. 1. circumscribed it by declaring, that nothing should be deemed heresy, but what had been so determined by authority of the canonical scriptures, or by one of the four first general councils, or by other council having for the grounds of their declaration the express and plain words of the scriptures. Heresy, thus circumscribed, being an offence at the common law, our act of assembly of October, 1777, ch. 17. gives cognizance of it to the general court, by declaring, that the jurisdiction of that court shall be general in all matters at the common law. The execution is by the writ *De hæretico comburendo*. By our own act of assembly of 1705, ch. 30. if a person brought up in the christian religion denies the being of a God, or the Trinity, or asserts there are more gods than one, or denies the Christian religion to be true, or the scriptures to be of divine authority, he is punishable on the first offence by incapacity to hold any office or employment, ecclesiastical, civil, or military ; on the second, by disability to sue, to take any gift, or legacy, to be guardian, executor, or administrator,

and by three years imprisonment without bail. A father's right to the custody of his own children being founded in law on his right of guardianship, this being taken away, they may of course be severed from him, and put by the authority of the court, into more orthodox hands. This is a summary view of that religious slavery, under which a people have been willing to remain, who have lavished their lives and fortunes for the establishment of their civil freedom. *The error seems not sufficiently eradicated, that the operations of the mind, as well as the acts of the body, are subject to the coercion of the laws. But our rulers can have no authority over such natural rights, only as we have submitted to them. The rights of conscience we never submitted, we could not submit. We are answerable for them to our God. The legitimate powers of government extend to such acts only as are injurious to others. *But it does me no injury for my neighbour to say, there are twenty gods, or no God. It neither picks my pocket nor breaks my leg.* If it be said, his testimony in a court of justice cannot be relied on, reject it then, and be the stigma on him. Constraint may make him worse by making him a hypocrite, but it will never make him a truer man. It may fix him obstinately in his errors, but will not cure them. Reason and free enquiry are the only effectual agents against error. Give a loose to them, they will support the true religion, by bringing every false one to their tribunal, to the test of their investigation. They are the natural enemies of error, and of error only. Had not the Roman government permitted free enquiry, christianity could never have been introduced. Had not free enquiry been indulged at the æra of the reformation, the corruptions of christianity could not have been purged away. If it be restrained now, the present corruptions will be protected, and new ones encouraged.

*Furneaux passim.

“ Was the government to prescribe to us our medicine and diet, our bodies would be in just such keeping as our souls are now. Thus in France, the emetic was once forbidden as a medicine, and the potatoe as an article of food. Government is just as infallible too, when it fixes systems in physics. Galileo was sent to the inquisition for affirming that the earth was a sphere ; the government had declared it to be as flat as a trencher, and Galileo was obliged to abjure his error. This error however at length prevailed, the earth became a globe, and Descartes declared it was whirled round its axis by a vortex. The government in which he lived was wise enough to see that this was no question of civil jurisdiction, or we should all have been involved by authority in vortices. In fact the vortices have been exploded, and the Newtonian principle of gravitation is now more firmly established, on the basis of reason, than it would be, were the government to step in and make it an article of necessary faith. Reason and experiment have been indulged, and error has fled before them. It is error alone which needs the support of government ; truth can stand by itself. Subject opinion to coercion ; whom will you make your inquisitors ? Fallible men ; men governed by bad passions, by private as well as public reasons. And why subject it to coercion ? To produce uniformity. But is uniformity of opinion so desirable ? No more than of face and statue. Introduce the bed of Procrustes then, and there is danger that the large men may beat the small, make us all of a size, by lopping the former, and stretching the latter. Difference of opinion is advantageous in religion ; the several sects perform the office of a *censor morum*, (censors) over each other. Is uniformity attainable ? Millions of innocent men, women, and children, since the introduction of christianity, have been burnt, tortured, fined, and imprisoned ; yet we have not advanced one step towards uniformity. What has

been the effects of coercion? To make one half of the world fools, and the other half hypocrites. To support roguery and error all over the earth. Let us reflect that the earth is inhabited by a thousand millions of people. That these profess probably a thousand different systems of religion, that ours is but one of that thousand; that if there be but one right, and ours that one, we should wish to see the nine hundred and ninety-nine wandering sects gathered into the fold of truth; but against such a majority we cannot effect this by force; reason and persuasion are the only practicable instruments. To make way for these, free enquiry must be indulged, and how can we wish others to indulge it, whilst we refuse it ourselves. But every state, says an inquisitor, has established some religion. No two say I have established the same. Is this a proof of the infallibility of establishments? Our sister states of Pennsylvania and New-York, however, have long subsisted without any establishment at all. The experiment was new and doubtful when they made it. It has answered beyond conception. They flourish infinitely. Religion is well supported; of various kinds indeed; but all good enough; all sufficient to preserve peace and order; or if a sect arises whose tenets would subvert morals, good sense has fair play, and reasons and laughs it out of doors, without suffering the state to be troubled with it. They do not hang more malefactors than we do. They are not more disturbed with religious dissensions. On the contrary their harmony is unparalleled, and can be ascribed to nothing but their unbounded tolerance, because there is no other circumstance in which they differ from every nation on earth. They have made the happy discovery, that the way to silence religious disputes, is to take no notice of them. Let us too give this experiment fair play, and get rid, while we may, of those tyrannical laws. It is true, we are as yet secured against them by the spirit of the times. I

doubt whether the people of this country would suffer an execution for heresy, or a three years imprisonment for not comprehending the mysteries of the Trinity. But is the spirit of the people an infallible, a permanent reliance? Is it government? Is this the kind of protection we receive in return for the rights we give up? Besides, the spirit of the times may alter; will alter. Our rulers will become corrupt, our people careless. A single zealot may commence persecutor, and better men become his victims. It can never be too often repeated, that the time for fixing every essential right upon a firm and permanent basis, is while our rulers are honest, and united. From the conclusion of this war we shall begin to go down hill. It will not then be necessary to resort every moment to the people for support. They will be forgotten therefore, and their rights disregarded. They will forget themselves, but in the sole faculty of making money, and will never think of uniting to effect a due respect for their rights. The shackles therefore, which shall not be knocked off at the conclusion of this war, will remain on us long, will be made heavier and heavier, till our rights shall revive or expire in a convulsion."

I have given this religious sketch at full length, as a historical trait of the religious character of Virginia, as well as of its illustrious author. It must be remembered that the date of this paper is 1781-2, towards the close of the American Revolutionary war. It will be well remembered by all who are acquainted with the history of that age, that Voltaire and Hume were two of the most popular writers that had then appeared in France and England; and that their writings graced the shelves, and their sentiments inflated the pride, and ambition of the learned, not only in France and England, but also in America. The doctrine of "It does me no injury for my neighbour to say there are twenty gods, or no God. It neither picks

my pocket nor breaks my leg," was not peculiar to our illustrious author; it had prevailed in France from the days of Lewis XIV. and amongst the modern Philosophers of Europe; yes, and America too, down to the date of this wonderful paper; and it continued to prevail, until the government of France, passed the awful decree—" *There is no God, and death is an eternal sleep.*" Until the same government introduced the Guillotine, instead of the bed of Procrustes, and by this new criterion of right and wrong, brought the king and queen, the mass of the National Convention, together with the clergy generally, as well as the first characters of the nation, to the standard of *a head shorter*, and raised up a despot to swim to empire in the bloody sea of France, and of Europe. Were such solemn, such awful effects as these, of no consequence? Effects which sprang from the religious tolerance of saying and believing "there is no God." Was no man's pockets picked, and no man's leg broken, amidst the ravages of a twenty years war? a war in which France lost more than a million of her citizens, with the most of her navy, together with an immense treasure: a war in which the sufferings of her neighbours, were, if possible, much greater. Ask Germany, Holland, Switzerland, Italy, Spain, Prussia, and Russia; yes, and England, and America too, whether the doctrine, or sentiment of "no God," did not pick their pockets, and break their legs; but I forbear; great men will not always be wise, and our illustrious author was supported in sentiment by the greatest writers of that age, and this sentiment, which then flowed from his pen, was perfectly congenial to the spirit of the times; but the horrors which have been exhibited upon the theatre of Europe since that day; horrors which were bottomed upon this remarkable sentiment, have given an entire change to the age in which we live, and I have no doubt our illustrious author, whom I respect as

one of the first sages of this age, and who as a patriot can say with Horace of old—“*Exegi monumentum æra perennius,*” can also look back upon a sentiment which I have presumed thus freely to notice, and say—“*Tempora mutantur et nos mutamur in illis.*” This was a bloody sentiment, and it has been drenched; may I not say, quenched in blood? Yes, if blood can possess the power of extinguishing error, this must be quenched, or there can be no efficacy in blood to extinguish error: but these were the days of delusion, which “God winked at,” because he suffered this sentiment, to prevail as a rod of his vengeance, to chastise the corruptions of that age; an age perhaps the most corrupt in doctrine, discipline, and manners, of any one age, since the days of the fifth, or the twelfth centuries.

This sentiment, “God winked at,” because corrupt as it was, he meant it for good, to scourge the nations, as he scourged Egypt of old, for their abominable deeds, that he might prepare the way for the advancement of *that truth* which he is now displaying to the world, in the spread of his everlasting gospel, throughout the whole habitable earth; but again I forbear. I shall again pursue the subject at the close of the third volume of this work. Criticism was no part of my design, in introducing this religious paper into this work, I shall therefore pass over errors of lesser magnitude, which here and there appear, as being the errors of the day, and such as have been amended by the good sense of the age in which we live, and which have, no doubt, been corrected by the wisdom and good sense of their illustrious author.

LITERATURE.

I shall close this number with a sketch of the literary establishment of Virginia by the same author.

“ The College of William and Mary, is the only public seminary of learning in this state. It was founded in the time of King William and Queen Mary, who granted to it 20,000 acres of land, and a penny a pound duty on certain tobaccos, exported from Virginia and Maryland, which had been levied by the statute of 25 of Charles II. The assembly also gave it by temporary laws, a duty on liquors imported, and skins and furs exported. From these resources, it received upwards of 3000*l.* annually. The buildings are of brick, sufficient for an indifferent accommodation of perhaps an hundred students. By its charter it was to be under the government of twenty visitors, who were to be its legislators, and to have a president and six professors, who were to be incorporated. It was allowed a representative in the general assembly. Under this charter, a professorship of the Greek and Latin languages, a professorship of mathematics, one of moral philosophy, and two of divinity, were established. To these were annexed, for a sixth professorship, a considerable donation by Mr. Boyle of England, for the instruction of the Indians, and their conversion to Christianity. This was called the professorship of Brafferton, from an estate in England, purchased with the monies given. The admission of the learners of Latin and Greek filled the college with children. This rendering it disagreeable and degrading to young gentlemen already prepared for entering on the sciences, they were discouraged from resorting to it, and thus the schools for mathematics, and moral philosophy, which might have been of some service, became of very little. The revenues too were exhausted, in accommodating those who came only to acquire the rudiments of science. After the present revolution, the visitors, having no power to change those circumstances in the constitution of the college, which were fixed by the charter, and being therefore confined in the number of professorships,

undertook to change the objects of the professorships. They excluded the two schools for divinity, and that for the Greek and Latin languages, and substituted others ; so that at present they stand thus :

A Professorship for Law and Police :

Anatomy and Medicine :

Natural Philosophy and Mathematics :

Moral Philosophy, the Law of Nature and Nations,
the Fine Arts :

Modern Languages :

For the Brafferton.”

To the professorships usually established in the universities of Europe, it would seem proper to add one for the ancient languages, and literature of the north, on account of their connexion with our own language, laws, customs, and history. The purposes of the Brafferton institution might be better answered, by maintaining a perpetual mission among the Indian tribes, the object of which, besides instructing them in the principles of christianity, as the founder requires, should be to collect their traditions, laws, customs, languages and other circumstances, which might lead to the discovery of their relation with one another, or descent from other nations. When these objects were accomplished with one tribe, the missionary might pass on to another, &c.

COMMERCE AND MANUFACTURES, INTERIOR AND EXTERIOR TRADE, &c.

“ We never had an interior trade of any importance. Our exterior commerce has suffered very much from the beginning of the present contest. During this time we have manufactured within our families the most necessary articles of clothing. Those of cotton will bear some com-

parison with the same kinds of manufacture in Europe ; but those of wool, flax, and hemp are very coarse, unsightly, and unpleasant : and such is our attachment to agriculture, and such our preference for foreign manufactures, that be it wise or unwise, our people will certainly return as soon as they can, to the raising raw materials, and exchanging them for finer manufactures than they are able to execute themselves.

“ The political economists of Europe have established it as a principle, that every state should endeavor to manufacture for itself : and this principle, like many others, we transfer to America, without calculating the difference of circumstance which should often produce a difference of result. In Europe the lands either are cultivated, or locked up against the cultivator... Manufacture must therefore be resorted to of necessity, not of choice, to support the surplus of their people. But we have an immensity of land courting the industry of the husbandman. Is it best then that all our citizens should be employed in its improvement, or that one half should be called off from that, to exercise manufactures and handicraft arts for the other ? Those who labor in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue. It is the focus in which he keeps alive that sacred fire, which otherwise might escape from the face of the earth. Corruption of morals in the mass of cultivators, is a phænomenon of which no age nor nation has furnished an example. It is the mark set on those, who not looking up to heaven, to their own soil and industry, as does the husbandman, for their subsistence, depend for it on casualties and caprice of customers. Dependence begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition. This, the natural progress and consequence of the arts,

has sometimes perhaps been retarded by accidental circumstances : but, generally speaking, the proportion which the aggregate of the other classes of citizens bears in any state to that of its husbandmen, is the proportion of its unsound to its healthy parts, and is a good enough barometer whereby to measure its degree of corruption. While we have land to labor, then let us never wish to see our citizens occupied at a work-bench, or twirling a distaff. Carpenters, masons, smiths, are wanting in husbandry : but, for the general operations of manufacture, let work-shops remain in Europe. It is better to carry provisions and materials to workmen there, than bring them to the provisions and materials, and with them their manners and principles. The loss by the transportation of commodities across the Atlantic will be made up in happiness and permanence of government. The mobs of great cities add just so much to the support of pure government, as sores do to the strength of the human body. It is the manners and spirit of a people which preserve a republic in vigor. A degeneracy in these is a canker which soon eats to the heart of its laws and constitution.”

Jefferson's Notes.

CHAPTER XXIII.

NEW-YORK CONTINUED FROM THE DEATH OF THE EARL OF BELLOMONT, 1701, TO THE DEATH OF LORD LOVELACE, 1709.

THE Earl of Bellomont was a minister for good to the colonies over which he presided, and his death was severely felt. Nanfan, the lieut. governor, was then absent, in the Island of Barbadoes, and the questions of administration that sprang up in the council, became serious.—The old party of Leisler and Schuyler was revived, the council were divided. The partizans of Leisler claimed that the powers of administration belonged of right to the whole council; but Col. Smith claimed the right of administering the government, as the oldest counsellor, and president of that board. Here they were at issue. Col. Schuyler, and Robert Livingston stood aloof, and refused to join the council. The assembly were convened on the 2d of April, and were constrained to adjourn from time to time, to wait for the decision of the council upon their executive head. At length they resolved to decide a question for the council, which they appeared to be incompetent, in their present warmth of temper, to decide for themselves; and accordingly resolved, that the executive charge of the government devolved upon the council, by a majority of voices, and not by a single head. This decision gave no relief; the council were not prepared to receive this order from the house, and accordingly the house of assembly adjourned to the first Tuesday in June.

On the 19th of May, 1701, Lieut. Gov. Nanfan arrived, and decided the controversy, and entered upon the duties of his office.

At this time his majesty granted two thousand pounds for the defence of the northern frontier, and five hundred pounds for the purpose of erecting a fort in the country of Onondaga. The lords of trade ordered a court of chancery to be erected, to commence and continue its sittings, on the first Tuesday of each month; which court was to be composed of the governor and council, or any two of their board. Commissioners were also impowered to appoint masters, clerks, and a register for this court. On the 2d of September, 1701, the court was completely organized, and commenced its sittings. The parties continuing warm in the legislative body, to the damage of the public weal, the lieut. governor thought fit to dissolve the assembly on the 1st of June, 1701.

The lieut. governor issued his writs of election for a new assembly to be convened in August; this revived the old party feelings and strife; but the Leislerians prevailed, and returned a majority to the house of assembly, which was convened on the 19th of August, and Abraham Gouverneur was elected speaker; and the county of Dutchess, for the first time, sent two representatives. Gov. Nanfan, in his speech to the assembly, announced the liberal grants of his majesty, as before stated; also, a grant of a large tract of land to the crown, by the Five Nations, on the 19th of July, as a pledge for their protection against the French. Also, that his majesty had granted a salary of three hundred pounds per annum to the chief justice, and one hundred and fifty to the attorney-general, and that they had both arrived from England. The spirit of controversy, which had constrained the governor to dissolve the last assembly, had lost none of its force or bitterness, by passing through the ordeal of a popular election; and the parties were again convened in the full strength of the old spirit, sharpened and poisoned by the bitterness of tumultuous, electioneering strife.

The late counsellor Nicoll was elected member of assembly from the county of Suffolk, and made a strong interest for the chair; but upon the appointment of Mr. Gouverneur, his resentment led him to contest the right of his rival to a seat in that house, being a foreigner; but it was overruled that Mr. Gouverneur had taken the benefit of the act of 1683, which naturalized all aliens, that were free, and professed the christian religion. This point being settled, Mr. Gouverneur, in his turn, called in question the right of Mr. Nicoll to a seat in that house, alleging that he did not reside in the county from whence he was returned as member. This attack became serious; seven of Nicoll's friends withdrew from the assembly, and left Nicoll exposed to a decision of the house against him, and they not only expelled Nicoll, but his seven seceding friends also.

The way thus being prepared, the party rage next fell on Mr. Livingston, who had been a steady and firm opposer to Leisler and his partizans, and a firm friend to Col. Smith, in the late struggles for power. The first attack of the house upon Mr. Livingston was an act passed, compelling him to account for monies formerly received out of the excise, with an advisory motion from a committee of both houses, that a resolution be passed, ordering his estate to be confiscated, unless he accounted at a certain day, therein to be named. This motion was waved, and an act was passed that he should account for the specific sum of eighteen thousand pounds. In addition to this, a committee of both houses summoned him to appear and defend the charge, "that he had solicited the Five Nations to send him as their agent to England, to solicit in behalf of their affairs." This attack went no further than to shew the virulence of his enemies; who, when they could not support a charge, so vague and indefinite in itself, compelled him to purge himself by his oath; but Mr.

Livingston treated with contempt such unwarrantable a procedure. The house, by advice of the committee, (who felt the severity of the rebuff,) petitioned the governor to dismiss him from his office as secretary of Indian affairs.*

At this critical moment, the following letter from one of his majesty's secretaries, addressed to the Earl of Bello-mont, with the petition that caused it, were laid before the assembly.†

“My Lord—

“The king being moved upon the petition of Mr. Jacob Leisler, and having a gracious sense of his father's services, and sufferings, and the ill circumstances the petitioner is thereby reduced to; his majesty is pleased to direct that the same be transmitted to your lordship, and that you recommend his case to the general assembly of New-York, being the only place where he can be relieved, and the prayer of his petition complied with.

“I am,

“My Lord, your Lordship's

“Most obedient and humble servant,

“JERSEY.”

Upon the reading of this letter and the petition, a motion was made for leave to bring in a bill, to grant to Jacob Leisler, by way of indemnification, the sum of one thousand pounds, together with several smaller sums to others, as debts due from the government; and a bill was brought in accordingly; but such was the heat of party

* The government had taken the books and papers of Mr. Livingston into their own hands, which barred him from all access to his own accounts.

† This letter had been obtained by the petition of Jacob Leisler, son of the Capt. Leisler who had been executed for high treason, as before related.

spirit, that the bill did not pass until the next session. Such was also the heat of party, that fourteen members, near the close of the session, signed an incorrect and impertinent address to his majesty, stating the whole subject of controversy, in a party manner.

At this time it was reported that Lord Cornbury was about to succeed to this government, by his majesty's appointment. This revived and animated the hopes of the anti-Leislerian party, and they forwarded several addresses to his majesty upon the subject; charging their opponents with corruption, avarice, &c. These addresses reflected severely upon Lord Bellomont, and accused him of mal-administration; denied the authority of the late assembly, and accused the governor and chief justice with bribery and corruption, &c. All their hopes now rested upon the arrival of Lord Cornbury. These addresses were promoted by Nicholas Bayard, and signed at the tavern of Alderman Hutchins, in the city of New-York, in the year 1702.

Nanfan, the lieut. governor, having notice of these proceedings, summoned Hutchins to appear before him, and upon his refusal, committed him to gaol, on the 19th of January, 1702. The lieut. governor next proceeded to arrest and imprison Bayard, upon the following act, passed 1691, when Bayard was member of the assembly.

“ Be it enacted, &c. That whatsoever person, or persons shall, by any manner of ways, or upon any pretence whatsoever, endeavour by force of arms or otherwise, to disturb the peace of their majesties' government, (*William and Mary*,) as it is now established, shall be deemed and esteemed rebels and traitors, unto their majesties, and incur the pains, and penalties, and forfeitures, according to the laws of England, in such cases made and provided.”

The lieutenant-governor next pushed the trial of this prisoner, at a special court of Oyer and Terminer, called by his special commission, on the 12th of February ; and the said Bayard was arraigned, indicted, tried, and convicted accordingly, on the 22d, of high treason—Present, Chief Justice Atwood, and Judges De Peyster, and Walters.—Great efforts were made by the council for the prisoner, to arrest the judgment, but without effect ; the court overruled, and the chief justice passed sentence of death upon him, on the 16th of March.

A petition was sent to the queen, for a reprieve, and the lieutenant-governor was with much difficulty induced to suspend execution until the pleasure of her majesty could be known.

Hutchins, in the mean time, was tried and amerced in a fine of forty pieces of eight to the sheriff.

The lieutenant-governor next erected a Court of Exchequer, convened another assembly, and obtained an act of outlawry against Philip French, and Thomas Windham, who had been concerned with Bayard in the treasonable addresses, and fled upon his commitment. He next suspended Mr. Livingston from his seat in the council, which closed the spirited party acts of Lieutenant-Governor Nanfan.

Upon the arrival of Lord Cornbury, the case of Bayard was laid before his lordship ; he consented to reverse the judgment, upon his (Bayard's) giving bonds not to bring any suits against those who had been concerned in his prosecution ; and then his lordship procured the confirmation of the queen, and the whole affair was obliterated.

Lord Cornbury, upon his first entrance into the government, became as warm a partizan as Nanfan ; but upon the opposite side ; the chief justice and the solicitor-general who had condemned Bayard, fled into Virginia, and from thence to England, and passed into obscurity, under fictitious

names, and Colonel Heathcote, and Doctor Bridges succeeded to the council board.

In the summer of 1703, the memorable epoch of yellow-fever commenced in New-York. This fever proved fatal to every patient, and was supposed to have been brought from the island of St. Thomas. During the rage of this mortal disease in New-York, Lord Cornbury, the governor, removed to the village of Jamaica, upon Long-Island, where sundry acts are recorded of him to his eternal disgrace. First, that he very politely requested the minister of the parish to remove out of his house, to his very great inconvenience, because it was the best in the village, and suited the fancy of his lordship; next, when a few Episcopalians, who had crept into the village, and in a riotous manner seized upon the Presbyterian Meeting-house, in the time of the intermission of service at noon, under cover of a certain ministry act, (so called,) passed under the administration of Governor Fletcher; as well as upon the strength of an unguarded vote of the town, in which the money to be raised for the purpose of building the house, did not express to what denomination of christians it should belong; his lordship favoured the procedure, and harassed the Presbyterians with numerous suits, fines, and imprisonments, because they attempted to defend their property; all which had well nigh ruined the village. His lordship sent a sheriff next, to seize on the church glebe, and then caused it to be surveyed into lots, and farmed out to the Episcopalians; and last of all, when his lordship was ready to return to New-York, he delivered up the parsonage house to the Episcopal party; all which kindled a fire of religious party, that was felt through the colony. His excellency next proceeded to denounce all other sects, except Episcopalians, and commenced a general persecution, that extended down even to a Dutch school-master;

and all was persecution, except they tamely submitted to the will of his excellency.

These violent proceedings from the chair, threw the colony into a general fever; the elections for the assembly to be held in autumn, were violent, and bitter, with party strife; hence Philip French, an outlaw, was returned member for the city of New-York; and William Nicoll chosen speaker. His excellency met the assembly thus organized with the following speech.

“GENTLEMEN,

“It was with extreme surprise that I found at my landing in this province, such confusion as must unavoidably have occasioned its ruin, if it had been suffered to go on a little longer. The many complaints that were brought to me, against the persons I found here in power, were sufficiently proved against them; and the miserable accounts I had of the condition of our frontiers, made me think it convenient to delay my meeting you in General Assembly, till I could inform myself, in some measure, of the condition of this province; that I might be able to offer to your consideration, some few of those things, which will be necessary to be done forthwith, for the defence of the country.”

After recommending to their notice the fortifications of the city of New-York, the destitute situation of the army; a militia bill; public schools; the public debts, &c. his lordship thus concludes.

“Now gentlemen, I have no more to trouble you with, but to assure you in the name of the great Queen of England, my mistress, (Queen Ann,) that you may safely depend upon all the protection, that good and faithful subjects can desire and expect from a sovereign, whose greatest delight is the welfare of her people, under whose auspi-

cious reign, we are sure to enjoy what no nation in the world can dare to claim, but the subjects of England ; I mean the free enjoyment of the best religion in the world ; the full possession of all lawful liberty, and the undisturbed enjoyment of our freeholds and properties, &c. I heartily rejoice to see that the choice of the people has fallen upon gentlemen whose constant fidelity to the crown, and unwearied application to the good of their country, are so universally known."

This speech was in unison with the feelings of this assembly, and they returned the following sentiment by way of echo.

" May it please your Lordship," &c.—

After the usual salutation they conclude, " That being deeply sensible of the misery, and calamity the country lay under upon the arrival of his lordship, they were not sufficiently able to express the satisfaction they had, both in their relief and in their deliverer."

The house next proceeded to grant eighteen hundred pounds for the support of an army, consisting only of one hundred and eighty men, and two thousand pounds more to defray the expenses of his lordship's voyage, &c.* The house voted to continue this revenue, to May 1709 ; passed a law to establish a grammar school, and brought forward a militia bill agreeable to his lordship's recommendation. No direct attack had yet been made upon the former administration, until the house passed a resolution to abolish the Court of Chancery ; but his lordship opposed the

* That County of Dutchess, which is now so populous and flourishing, was then so low as to raise but eighteen pounds of all this sum ; a sum that appeared so extravagant to the queen, that she forbade in her letter, all such extravagant donations in future.

bill, as being derogatory to his own power, and it was quashed.

In this year, 1702, England declared war against France and Spain, and on the 4th of May, 1703, the legislature granted the sum of 1500*l.* to fortify the port of New-York, at the Narrows; but the zeal of his lordship for the public weal had so far abated, that he converted this money to his own private use. To correct this evil of having the receiver-general accountable to the governor, and not to the house, they passed a resolve, requesting and most pressingly urging his lordship, that some proper person might be commissioned to be treasurer, to receive and pay over all such monies as might be raised hereafter, to prevent all further misapplication. They also forwarded an address to the queen, complaining of the deficiency in the public funds, by reason of the want of a proper treasurer, who felt his dependance upon the assembly.

His excellency next demanded pay for one hundred and fifty men, at the session of the assembly in April, 1704, when it appeared that thirteen hundred pounds had been expended in supporting one hundred fuzileers about Albany; besides the four independent companies in the pay of the crown, and this too, when all was peace upon the frontiers. This fresh demand roused up the feelings of the house to a sense of their situation, and they passed a resolve, "that they declined any further aids in money, until they were satisfied that no misapplication had been made." This led to the appointment of a committee, who upon due enquiry made, reported that a balance was due to the colony from the treasury of nearly one thousand pounds. This attack upon his lordship's honor, and interest too, excited his lordship's sensibilities, and he ordered the house to attend him; gave them a severe reprimand, and threatened them with the exercise of *certain powers*, (not named,) vested in him by the queen; but he more

particularly reproached them with audaciously attempting to maintain the "*rights of the house*," under the title of the "*General Assembly*," alluding to certain resolutions of the house. His lordship was pleased to add,—"*I know of no rights that you have as an assembly, but such as the queen is pleased to allow you.*" Adding, "It is true the queen has commanded me in her instructions, to permit the assembly from time to time, to view and examine the accounts of money, or value of money, by virtue of the laws made by them; but you can in no wise meddle with that money; but if you find any misapplication of any of that money, you ought to acquaint me with it, that I may take care to see those mistakes rectified, which I shall certainly do." The house were passive under these rebukes, and the session closed.

In autumn the assembly convened at the usual time and place, and the subject of the revenue again came into consideration. His excellency recommended a duty of ten per cent upon certain goods not imported from Europe; to which the house objected, and passed a resolve accordingly; which so excited the resentment of his lordship, that he refused to pay even the door keeper of the assembly, together with their printer and clerk. This raised the resentment of the house, and they passed a resolve to address his lordship, that an exact account of the revenue might be exhibited. To this his lordship replied by dissolving the assembly.

His lordship convened a new assembly in June, 1705, when he again called up their attention to the revenue, and the additional duty, both which he strongly recommended; both which they refused.

The house next proceeded to take up the subject of the clergy, agreeable to his lordship's recommendation; and they passed an act to support and enforce the act passed under the administration of Governor Fletcher, in 1693.

About this time a French privateer entered the harbour of New-York, and gave great alarm to the citizens ; this roused up the feelings of the people to a sense of their exposed situation, and called forth loud clamours against the governor for his former neglect.

In June 1706, his excellency again convened the assembly, and called up their attention to the necessity of fortifying the Narrows ; but their sense of their true interest was lost in their warmth of feeling, at the remembrance of the money formerly appropriated for this use, and embezzled by the governor, together with the 1000*l.* appropriated to the defence of the frontiers, and not applied ; they therefore resolved to raise 3000*l.* to be applied to fortify the narrows of the harbour of New-York ; but took the precaution to place the money under the safeguard of a private treasurer, of their own appointment. His excellency felt the blow very severely, and declined to pass the act until he had received instructions from the queen upon the subject, which he announced to the house at their fall session, when he passed the act. Although his lordship passed the act of the last assembly as it stood, yet his feelings were not softened down upon the subject, and when the house neglected to regard his renewed recommendation of the revenue law, his lordship again dissolved the assembly. Such were the discordant feelings of the parties, that his lordship did not call another assembly until the year 1708.

Since the commencement of the administration, the subject of religion has come under more immediate consideration, on account of that severity with which his lordship felt disposed to treat this most interesting subject. Before we pursue the doings of this assembly, we will turn aside from the regular chain of political events, and take a survey of the state of religion, and religious persecution, under the administration of his lordship.

Four religious sects at this time prevailed in New-York, viz. Dutch Calvinists, French Calvinists, Presbyterians of the Irish Church, and Episcopalians of the Church of England. The Presbyterians were so small in their numbers, that they had neither meeting-house nor minister, until the year 1707, when Francis M'Kemie, and John Hampton came into the province in the month of January ; who preached in the Dutch Church, by mutual consent. This alarmed his lordship ; he began to feel that the church was in danger, and he immediately issued his prohibition. Mr. Hampton preached at New-Town on the next Sunday, but a few miles distant from the city ; and the same Sabbath M'Kemie preached with open doors, in a private house in New-York ; this so enraged his lordship, that he issued a warrant to the sheriff, who arrested both these ministers at New-Town on the same week, for the offence of preaching without his lordship's licence. The prisoners were carried by the way of Jamaica to New-York, and arraigned at the bar of his lordship, where his lordship attempted to chastise them by a severe reprimand ; but such was their undaunted firmness, that they resisted the ferocity of temper and manners displayed by his lordship, as well as the pleadings of the attorney-general, and shewed most clearly to the court, that the persecuting laws of England upon the subject of religion, were never designed to extend to the colonies ; and where there was no law there could be no transgression. This plea, however true in itself, was of no avail ; his lordship alleged that if they had not committed an offence against the laws of England, they had against his instructions, and he issued a warrant to the sheriff accordingly, and committed them both to prison, where they continued six weeks and four days, waiting for the return of the chief justice, who was then absent in New-Jersey. When they were arraigned before the court, his lordship

found his indictment, unfounded in law, and he immediately issued another warrant, upon an indictment entirely different from the first, and the defendants found bail for their appearance at the next Supreme Court, which commenced its sittings soon after.

A Grand Jury were empaneled, who found a bill against M'Kemie ; but Mr. Hampton was discharged.

On the 6th of June the trial commenced, upon this indictment—"That Francis M'Kemie, pretending himself to be a Protestant dissenting minister, contemning, and endeavouring to subvert the queen's ecclesiastical supremacy, unlawfully preached without the governor's licence first obtained, in derogation of the royal authority and prerogative ; and that he used other ceremonies and rites, than those contained in the Common Prayer Book ; and lastly, that he being unqualified to preach, did preach at an illegal conventicle ; and both these last charges were said to be contrary to the form of the English statutes." The cause was important ; it involved the question of the rights of conscience, and greatly interested the public feeling ; all the learned council of the bar were engaged in the question, and the point that laboured was, whether the statutes of royal ecclesiastical supremacy, extended to the colonies, or were confined to the realm of England. The court appeared disposed to favour the prosecution ; but the jury found a verdict of not guilty ; yet the court ordered the bail to be holden until the defendant had paid the sum of eighty-three pounds seven shillings and six pence.

This cause was of importance to the colony of New-York ; hitherto the causes that led to and promoted the settlement of New-England, had in no way interested the feelings of this colony ; religion had hitherto held a nominal existence, but formed no particular feature in the organization of this government. This despotic act of his lordship, called up the attention of the people to the

subject of religion, and awakened their consciences to a sense of their immortal concerns, as well as their feelings to a sense of their political concerns, and taught them the necessity of duly appreciating their just rights. As the rights of the people rose in their own estimation, the power, influence, character, and respectability of the governor declined, and his influence had a name to live, but was politically dead. All his former overt acts of oppression and avarice were now arraigned against him in the public mind, and feeling; to obviate these evils, his lordship called a new assembly, who were convened on the 8th of August, 1708, and chose William Nicoll speaker. His lordship met them with a speech, in which he recommended to their notice the revenue again, and the particular state of their Indian affairs, and reminded them of the necessary presents to the Indians. The house listened to the subject of Indian affairs; but instead of granting supplies, agreeable to his lordship's recommendation, they called upon him to furnish a list of such presents as might become necessary, with their probable expence. The house next waved the subject of the revenue, by reimbursing to the governor two hundred and fifty pounds, for and in consideration of a contract entered into for the public service. Upon a general complaint, that the treasury was drained, and the most worthy public officers lay under the burthen of heavy sums advanced for the public service; the house ordered the treasurer to account; when it appeared that he was a public defaulter to the amount of seven hundred pounds; and he was ordered to refund.

The house next proceeded to appoint a committee of grievances, to enquire into and report to the house, what were the wrongs under which the people groaned; this committee reported numerous grievances, under the form

of resolves ; the following of which appear to be the principal :—

“ Resolved, That it is the opinion of this committee, that the appointing coroners in this colony, without their being chosen by the people, is a grievance, and contrary to law.

“ Resolved, That it is, and always has been the unquestionable right of every freeman in this colony, that he hath a perfect and entire property in his goods and estate.

“ Resolved, That the imposing and levying of any monies upon her majesty’s subjects of this colony, under any pretence or colour whatsoever, without consent in general assembly, is a grievance, and a violation of the people’s property.

“ Resolved, That for any officer whatsoever to extort from the people, extravagant and unlimited fees, or any money whatsoever, not positively established and regulated by consent in general assembly, is unreasonable and unlawful, a great grievance, and tending to the utter destruction of all property in this plantation.

“ Resolved, That the erecting a court of equity, without consent in general assembly, is contrary to law, without precedent, and of dangerous consequence to the liberty and property of the subjects.

“ Resolved, That the raising of money for the government, or other necessary charge, by any tax, impost, or burthen, on goods imported, or exported ; or any clog, or hindrance, on traffick or commerce, is found by experience to be the expulsion of many, and the impoverishing of the rest of the planters, freeholders, and inhabitants of this colony ; of most pernicious consequence, which if continued, will unavoidably prove the ruin of the colony.

“ Resolved, That the excessive sums of money screwed from masters of vessels trading here, under the notion of port-charges, visiting the said vessels by supernumerary

officers, and taking extraordinary fees, is the great discouragement of trade, and strangers coming amongst us, beyond the precedent of any other port, and without colour of law.

Resolved, That the compelling any man upon trial by a jury, or otherwise, to pay any fees for his prosecution, or any thing whatsoever, unless the fees of the officers whom he employs for his necessary defence, is a great grievance, and contrary to justice.”*

These were severe reflections upon his lordship ; but he bore them with calmness ; he shewed not one drop of that high prerogative blood, that marked the early part of his administration, when he was engaged in religious persecutions ; but these stripes, severe as they were, and painful as must have been the smart, to a man of his high sensibilities ; yet fell short of the rod with which his despotic power was chastised in New-Jersey : here the people, impatient of his dominion, appealed to the crown, and the queen removed his lordship from both governments, and Lord Lovelace was appointed by her majesty to succeed him in the spring of 1708 ; but did not arrive until December following.

The character of Lord Cornbury must have been sufficiently delineated in this narrative of his administration, without any further comment ; but his removal from office did not appease the public feeling ; his lordship was poor, and in debt ; his creditors arrested and imprisoned his lordship, where he remained, until he succeeded to the estate and title as Earl of Clarendon, upon the death of his father, and then he had money to pay his debts, and to carry him home to England. Where is to be found so great a curse to any community, as a *religious bigot*, who is both *poor and proud*, and yet *clothed with power* ?

* See M'Kemie's trial, &c.

One of the first acts of Lord Lovelace was to dissolve the assembly ; and on the 5th of April, 1709, he called a new one, who re-elected William Nicoll their speaker. His lordship opened the session with a speech, in which he gladdened their hearts by announcing, “ that he had brought out to their relief large supplies of soldiers, and stores of war, as well as presents for the Indians,” &c. His lordship pressed the assembly to discharge the public debt, by raising a suitable revenue, and urged them, at the same time, to examine the public accounts, and disclose the true cause of the origin of the debt, that it might not hereafter be laid to his charge.

The assembly listened respectfully to his lordship’s commendations, yet they declined entering upon the revenue ; but rather prayed his lordship to restore them to an equal degree of liberty with their neighbours, that their citizens might be induced to stop their emigrations, and dwell quietly at home. They concluded their reply to his lordship’s speech, by observing, “ that as the beginning of his government gave them a delightful prospect of tranquillity, so they were come with minds prepared to consult the good of the country and his satisfaction.”

The assembly next voted to raise twenty-five hundred pounds for the support of government ; sixteen hundred pounds of the same to be applied to the use of his lordship, and the remainder for certain military purposes therein specified.

The jealousy excited under the mal-administration of a Cornbury, carried its effects into this administration, and led them to maintain that caution, that should withhold every temptation from Lord Lovelace, to tread in the steps of his predecessor, and defraud the public revenue. The governor began to feel this caution ; but at the critical moment when his feelings were about to resent this unprovoked caution, his lordship died, and left his wife and

family dependent for support upon that government which regarded not their just demands, until the queen interposed by letter in their behalf; and even then the government did not discharge the arrearages of pay due to his lordship, until several years had elapsed, and his family had felt the severity of their neglect.

REMARKS.

God, in his allwise providence, was now preparing the way in this colony for the scenes which lay before them, in the same manner he had prepared the way for the colonies in New-England. The same oppressions which we have witnessed in Massachusetts, New-Hampshire, and in Connecticut, (though in a very partial degree in the latter,) we have now witnessed here, in order to bring the people to a just sense of their own rights, and true interest, and teach them how to rightly appreciate and maintain them.

CHAPTER XXIV.

NEW-YORK CONTINUED, FROM THE DEATH OF LORD LOVELACE, TO THE ARRIVAL OF GOVERNOR BURNET, 1720, AND FROM THENCE TO THE DEATH OF GOVERNOR MONTGOMERY, 1732.

UPON the death of Lord Lovelace, the administration again devolved upon Lieut. Gov. Ingoldsby. During this administration a new expedition was planned, and carried into operation by the instigation of a Col. Vetch, who had made himself acquainted with such parts of the River St. Lawrence, and the city of Quebec, as might become useful in such an expedition. I shall not attempt to enter again into the details of this expedition ; excepting in such parts as particularly regard this colony, and were not immediately detailed in my account of this adventure under New-England, in the first volume.

The colony of New-York had hitherto conducted their affairs without resorting to that broken reed, paper money, for supplies ; but at this time they were induced to issue an emission of paper money, to enable them to prosecute the war with vigour.

It has already been noticed that ^{on} Gov. Nicholson, formerly lieutenant-governor of this colony, had engaged in this expedition as commander-in-chief. At this time, Gov. Saltonstall was in the chair of Connecticut, and Charles Gookin, in the chair of Pennsylvania, as lieutenant-governor.

Elated with the prospects before them, the colony of New-York entered into the war with zeal and spirit ; realizing, that with the reduction of Canada, all those distressing savage wars, which had hitherto laid waste her settlements, as well as those of her neighbours, and spread carnage and desolation throughout an extensive frontier, would

for ever cease, and open the way for universal security and peace.

The attention of New-England generally, had been turned to this great object, either to co-operate with the fleet, by the way of the St. Lawrence, or to unite with the colony of New-York, in making preparations to penetrate into Canada by the way of the lakes. To effect this, the colony of New-York impressed into her service twenty ship and boat builders, who were sent on to construct boats upon the lakes. They also appointed commissioners to collect provisions, and other necessaries for the army; with powers to break open houses, stores, &c. and to impress men, horses, carriages, or waggons, &c. to transport the stores, &c. for the army. Under this arrangement they raised seven hundred men, with two independent companies, who were marched to Albany by the 27th of June, and from thence to Wood Creek, where they erected three forts, with several block-houses to secure the provisions, stores, &c. for the army. New-York endeavoured to take the lead in this grand enterprise; or at least not to be out-done by New-England; but Pennsylvania stood aloof, and New-Jersey contributed only three thousand pound to carry on the war.

New-York built this season two hundred batteaux, the same number of birch canoes, and two forts, with her own people, and at her own expence. Six hundred Indians were also in the pay of New-York, besides the expence of transporting the provisions, military stores, &c. together with furnishing support at Albany, for the families of the six hundred warriors, in her service; but when the expedition failed through the delay of the fleet, the colony felt the loss and disappointment, both as to their hopes, as well as to their 20,000*l.* which they had expended in carrying forward this vast preparation. Early in autumn the assembly were convened, and requested the governor to recall

the troops, and the commander-in-chief soon after disbanded the army, and retired to Newport in Rhode-Island, and met a General Congress of Governors, to deliberate on the public weal.

Governor Ingoldsby was invited, but did not attend. In October, Lord Sunderland, (the minister,) explained the causes that had prevented the sailing of the fleet, as had been promised, and his explanation was satisfactory to the public mind, and quieted the jealousies, and animosities that had arisen. The assembly resolved to lay before her majesty, an account of the zeal and loyalty of the colony, as well as the particulars of their vast preparations, and efforts to support her majesty's service.

At this time the Duke of Marlborough was triumphing over France, in the Low Countries; so that if the fleet had arrived agreeable to promise, France could not have given succour and support to Canada, and the prospects of success would have been great.

It appeared from the letter of Lord Sunderland, that the fleet destined for America, was called into service to support the Portuguese fleet, which had been defeated by the French, and thus the expedition failed.

Col. Schuyler exerted himself in engaging and supporting our Indian allies, and felt himself so severely mortified at the failure of the enterprise, that he resolved to embark in person, for England, the next season, and at his own private expence; and at the same time carry out with him five Indian chiefs of the Five Nations. This resolution so much pleased the assembly, that they passed an unanimous resolve, to forward by Col. Schuyler, an address to the queen, expressive of the distinguished services of Colonel Schuyler, from time to time in the colony; but more particularly in his former expedition into Canada, as well as for his important services the past season, in preparing for another descent upon that hostile province. Also to

express to her majesty the high sense they entertained of his merits as a man, as well as a soldier. Col. Schuyler embarked, according to his resolution, and arrived safe in England, with his five chiefs, who became the wonder and admiration of the whole kingdom.

When her majesty signified her pleasure to receive Col. Schuyler with his chiefs, at court, they were dressed for the occasion, with black under-dresses, because the court were in mourning, for the late Prince of Denmark; but they were allowed scarlet mantles of cloth, trimmed with gold fringe, which hung loosely over their shoulders. In this attire, they were conducted in coaches to St. James', by Sir Charles Cotterel, and the lord chamberlain introduced them into the presence of her majesty. Numerous was the crowd of spectators that lined the roads, as they approached the court, and solemn was the scene of their introduction to her majesty, when one of the chiefs thus addressed her majesty.

“ GREAT QUEEN,

“ We have undertaken a long voyage which none of our forefathers could be prevailed upon to do, to see our great queen, and relate to her what we thought necessary for the good of her, and us her allies, on the other side of the water.

“ We doubt not but our great queen has been acquainted with our long war, in conjunction with her children, against her enemies, the French; and that we have been as a strong wall for their security, even with the loss of our best men. We were greatly rejoiced when we heard our great queen had determined to send an army to conquer Canada, and immediately in token of our friendship, we hung up the kettle, and took up the hatchet; and with one mind, assisted Col. Nicholson, in making preparations on this side of the lake; but at length we were told our great

queen was prevented in her design, at present, by some great affairs, which made us very sorrowful, lest the French should no more dread us ; but think us too weak to make war against them.

“ To conquer Canada, will be of great use to our hunting ground ; so that if our great queen does not help us, we must remove with our families, and forsake our country, or stand neuter, neither of which would please us.

“ In token of the sincerity of the Five Nations, we present our great queen these belts, and in hopes of our great queen’s favour, do leave all to her good consideration.”

At this time Gerardus Beekman succeeded Gov. Ingoldsby, who was displaced, April, 1710, and held the chair until the arrival of Gov. Hunter, on the 14th of June next following.

It is worthy of notice that Brigadier-General Hunter, was a Scotsman by birth, and when a boy, put an apprentice to an Apothecary ; but, like Dr. Franklin, he left his master, to seek his fortune in some calling more agreeable to his mind. He soon became a soldier, and his talents, beauty, and address, recommended him to a lady of fortune, whom he married, and thus raised himself into notice ; and in 1707, he was honoured by her majesty with the office of governor of Virginia ; and when on his passage to this government, he was taken, and carried into France, from whence he was exchanged, and sent out to New-York, to succeed Lord Lovelace, deceased, in the government of this, and the colony of New-Jersey.

We have noticed the emigration of the colony of Palatines that settled in North-Carolina ; we are now about to notice a similar colony of about three thousand Palatines, who came out with Governor Hunter ; a part of this colony settled in the city of New-York, where they

built a Lutheran Church, and established the Lutheran religion; others planted a beautiful village upon the Manor of Livingston; some removed into Pennsylvania, where they settled, and drew out into that province several thousand of their persecuted countrymen, from Germany, who also settled in Pennsylvania. Another colony came out from Germany, and planted the country west of Albany, upon the Mohawk, known by the village of German Flats. All these Germans were peaceable, industrious, good inhabitants, and a great acquisition to her majesty's colony.

Soon after the arrival of Governor Hunter, he saw the importance of securing the frontier, by a friendly intercourse with the Indians; accordingly he repaired to Albany, and met the chiefs of the Five Nations there in council; renewed the old covenant; and thus secured the continuance of their friendship.

At this time the eastern Indians were laying waste, and ravaging the northern frontier of New-England, as has been noticed, to revenge the attempts of the late expedition against Canada, which had failed. The reason why New-York was exempt from these ravages at this time was, because a treaty of amity subsisted between the Five Nations, and the Canada Indians, and the influence of the former, saved New-York from the ravages of the latter.

Governor Hunter convened his assembly in the city of New-York, on the first of September, 1710, when William Nicoll was chosen speaker, and the governor opened the session with the following speech.

“GENTLEMEN,

“I hope you are now come to answer the ends of your meeting, that is, to provide a suitable support for her majesty's government here, in a manner she has been pleas-

ed to direct, to find out means to restore the public credit, and to provide better for your own safety.

“ They abuse you, who tell you that, you are badly dealt with in the augmentation of salaries. Her majesty’s instructions, which I communicated to you at our last meeting, might have convinced you, that it was her tenderness towards her subjects in the plantations, who suffered under an established custom of making considerable presents to their governors by acts of assembly, that induced her to allot to each of them such a salary as she judged sufficient for their support, in their respective stations, with a strict prohibition of all such presents for the future; which instructions have met with a cheerful and grateful compliance in all the other colonies, &c.

“ It is necessary at this time that you be told, that giving money for the support of government, and disposing of it at your pleasure, is the same as giving none at all. Her majesty is the sole judge of the merits of her servants. This right has never yet been disputed at home, and should I consent to give it up abroad, I should render myself unworthy, not only of the trust reposed in me; but of the society of my fellow subjects, by incurring her majesty’s displeasure. If I have tired you with a long speech, I shall make you amends by giving you the trouble of a very short answer.

“ Will you support her majesty’s government in a manner she has been pleased to direct? Or are you resolved that burthen shall be still upon your governor, who cannot accuse himself of any thing that may have deserved this treatment at your hands?

“ Will you take care of the debts of the government? Or to increase my sufferings, must I continue under the torture of the daily cries of such as have just demands upon you, and are in misery, without the power of giving them any hopes of relief?

“ Will you take more effectual care of your own safety, in that of your frontiers ? Or are you resolved for the future to rely upon the insecurity of an open winter, and the caprice of your savage neighbours ? I shall be very sorry if this plainness offends you. I judge it necessary towards the cultivating and establishing a good understanding between us. I hope it will be so construed, and wish heartily it may have that effect.”

This extraordinary speech, so embarrassed the assembly for three or four days, that they could make no reply, and the governor, to relieve them from their quandary, thought fit to dissolve them.

We left Colonel Schuyler in England, with his five Indian kings : these sachems were objects of particular admiration and attention, in all parts of the kingdom, where they went. They were also treated with marked attention by the best characters, and when they had been satisfied with the enjoyments of England, they returned to Boston with Commodore Martin, and General Nicholson, who commanded the forces destined against Port Royal, which he with his army, captured this year, October 2d, 1710. [*See New-England.*]

The governor convened the assembly at New-York, upon the arrival of General Nicholson, July 2d, 1711, and laid before them the news of the arrival of the fleet, and the plan of the intended expedition ; also, the quota of men, &c. apportioned to New-York, at the congress, or council of war at New-London, and recommended their speedy, and faithful attention to the views of her majesty, and their most zealous efforts to carry forward the expedition against Canada. This communication of his excellency was cordially received, and faithfully supported. The assembly voted to issue bills of credit, to the amount of ten thousand pound, to carry forward the preparations for

the expedition. The zealous efforts of the last season were again renewed, and the whole colony was again alive to the enterprise; but the destruction of the fleet in the Gulf of St. Lawrence, again defeated the enterprise, the remainder of the fleet returned to England; the troops were disbanded, and Canada was once more relieved from an invasion.

The failure of the expedition involved this colony, as well as the colonies of New-England, in new scenes of distress. The heavy debts they had incurred to support the expences of preparation, and the ravages of the Indians throughout the whole northern frontier, opened a scene of general distress.

In autumn of 1711, Governor Hunter again met the assembly at Albany, and pressed them to continue a small force in pay through the winter, to guard the frontier from the incursions of small parties of Indians, and French, who might be expected to revenge on the settlements, the late premeditated attack upon Canada. The house complied with the wishes of the governor; but the depredations, as had been expected, commenced, and were carried on, notwithstanding.

The house took up the subject of the expences of the late preparations, and instituted sundry bills to provide for the same, which were sent up to the council, for their concurrence; but the council returned several bills to the house with their amendments. This gave umbrage to the house, as an infringement upon their prerogative, and they complained; the council urged their right by precedent, as well as their being a part of the legislative body, constituted "by the mere grace of the crown," as well as the house. The house resented this claim of the council, as well as the assertion, that their powers depended upon "the mere grace of the crown," and returned to the council the following reply.

“ ’Tis true the share the council have, (if any,) in the legislation, does not flow from any title they have from the nature of that board, which is only to advise ; or from their being another distinct state, or rank of people in the constitution, which they are not, being all commons, but only from the mere pleasure of the prince, signified in the commission. On the contrary, *the inherent right the assembly have to dispose of the money of the freemen of this colony, does not proceed from any commission, letters patent, or other grants from the crown ; but from the free choice, and election of the people, who ought not to be divested of their property, (nor justly can,) without their consent.* Any former condescensions, of other assemblies, will not prescribe to the council the right to make any of those amendments, and therefore they have it not. If the lords commissioners for trade and plantations, did conceive no reason why the council should not have a right to amend money bills, this is far from concluding there are none. The assembly understand them very well, and are sufficiently convinced of the necessity they are under, *not to admit of any encroachment, so much to their prejudice.*”

The money transactions of the session were suspended upon this controversy ; both parties were obstinate, and the debts of the colony remained unprovided for, except 3750 ounces of plate, granted to his excellency.

At this time the governor constituted a Court of Chancery, and opened the same on Thursday of each week successively, by proclamation. This act of the governor the house considered as an innovation, and infringement upon their rights ; and they accordingly passed the following resolution.

Resolved, “ That the erecting a Court of Chancery, without the consent of the General Assembly, is contrary to law, without precedent, and of dangerous consequence, to the liberty, and property of the subject.” “ That the

establishing fees, without consent in General Assembly, is contrary to law." This controversy became sharp between the parties, and occasioned an appeal of the council to the lords of trade, who returned to them the following reply. "That her majesty has an undoubted right to appoint such, and as many courts of judicature in the plantations, as she may think proper, and necessary for the distribution of justice."

The house continued in this same temper until the session closed, without regarding the opinion of the lords of trade, and the public debts were left unprovided for.

In May 1712, the assembly were again convened, when his excellency very urgently recommended the public debts to the consideration of the house; but the house were again deaf to his recommendations, and his excellency prorogued the assembly for three days. Upon their reassembling, the house voted to his excellency 8025 ounces of plate. Great was the public distress at this time, for the contentions in the assembly had prevented the house from making provisions for the public demands, of every description, and the whole mass of public expence incurred in the great preparations for the Canada expedition, together with the services of the public officers, were all equally neglected, and the public credit was low.

In the midst of these public evils, the Five Nations became corrupted, by the influence and intrigues of French agents, and were about to abandon the English interest, and the small tribes, scattered along the Hudson, became disaffected, and threatened them with hostilities. About the same time, a negro insurrection had burnt one house in the city of New-York, and threatened the destruction of the city, and murdered many of those who were employed in extinguishing the fire. This mob was promptly suppressed, by arresting and executing nineteen

of the insurgent negroes. To finish this dark scene, the the citizens of New-York were alarmed with a report, that the French were about to invade the city with a fleet. These impressions were serious in their effects and consequences, and the public languished under the pressure of these calamities until autumn, when the assembly were again convened. The governor met this assembly with sundry propositions, calculated in his opinion, as fully to guard the treasury against all corruption, through a misapplication of the revenue, as language could well express: but all without effect; the dispute with the council, the former embezzlement of the revenue, together with the opinion of the lords of trade, in support of the claims of the council, and the Court of Chancery, had made such deep, and lasting impressions upon the house, that they again waved the subject of the revenue, and agreed in a resolution to explain the whole affair to her majesty, by the way of an address, and to assure her majesty of their readiness to provide for the support of government, provided the treasury could be fully guarded against all future misapplication of the public monies; praying her majesty also to instruct the governor to assent to a law, which might provide support for an agent in London, to guard the house against all future misrepresentations.

Stung with resentment at this outrage, the governor dissolved the assembly; and the public pressure continued, with all that accumulated weight, which such evils necessarily acquire, from long and repeated neglect.

During this intermission, the peace of Utrecht, bearing date March 13th, 1713, was announced. This treaty, (unfavourable as it might have been to Great-Britain,) was the first public document, that acknowledged the Five Nations to be subjects of the British crown, as was therein expressed in the fifteenth article, as follows, viz.—

“ The subjects of France, inhabiting Canada, and others, shall hereafter give no hindrance or molestation to the Five Nations, or cantons of Indians, subject to the crown of Great-Britain, nor to the other nations of America, who are friends to the same. In like manner the subjects of Great-Britain shall behave themselves peaceably towards the Americans, who are the subjects or friends of France ; and on both sides, they shall enjoy full liberty, of going and coming, on account of trade, &c.”

As the limits of these claims were never settled by commissioners, agreeable to this article of the treaty, each party made their own claims, and strengthened them by their intrigues, or defended them by the sword, as may be seen in the wars of New-England, volume 1st of this work.

In May, 1713, the governor again met the assembly, who were returned, through a sharply contested election, and William Nicoll was again chosen speaker. Such was the amount of the public debt ; such the number of the public creditors, and such the public clamour for old arrearages, that the governor was constrained to address the house, with unusual firmness, and plainness, to do justice to the public, as well as himself ; in which he observed that he was resolved to pass no law, until provision was made for the government. This reduced the house to this single alternative, either to meet the public mind by providing a revenue, or close the session ; they chose the first, and in addition to the usual revenue, they passed an excise law, which became very productive, as well as permanent, and the house then adjourned until autumn.

It had now become necessary to emit bills of credit to the amount of twenty-eight thousand pound, to cover the vast sums of public debt which had been accumulating under such continued neglect. These bills were to be issued by the treasurer upon landed security, upon such terms and

conditions as were expressed in the act. When the house had thus made provision for the public debt, they dissolved, upon the news of the death of Queen Ann, 1714.

The firmness of the governor, in his laconic speech, in May 1713, broke the obstinate spirit of the house, and brought them to terms; they then promptly provided for the government; and at their session in autumn, we have seen the provision they made for the public debt. In May 1715, a new assembly was convened; but when the governor discovered some expressions of their former obstinacy, he dissolved the assembly again, as an expression of his determination, that the public good should become decidedly the leading feature in the house.

In June 1716, his excellency convened a new assembly; and he found that he had carried his point, and a general harmony began to prevail, which continued through the session, and extended into the adjourned session in autumn, when the house presented an address to the governor, containing a handsome acknowledgment of their former error, in sending out a memorial to the queen, reflecting upon his character and conduct, and designed to ruin his influence and respectability. This address finally healed the old breach, and general harmony prevailed.

The council requested the house, (by message,) to appoint suitable persons, and provide for one half of the expence, for running the division line between New-York and New-Jersey, which they cheerfully consented to, and made provision accordingly.

The house at the same time, made provision by law for discharging the residue of the public debt, and appropriated several thousand pounds for that purpose. They also made provision for running the boundary line with Connecticut, which was finally accomplished in 1719. In May 1718, Mr. Speaker Nicoll declined any further continuance of his office, as speaker of the house, and re-

requested that he might be excused : his request was granted, and Robert Livingston was called to the chair.

In justice to this administration, I feel it my duty to lay before the reader the governor's address to the house, and their reply, to shew the degree of mutual concord and harmony, which followed that obstinate discord, which we have so recently noticed, and which flowed from the wisdom and firmness of the governor's management.

“GENTLEMEN,

“I have sent for you, that you may be witness to the acts passed by the General Assembly this session : I hope what remains unfinished may be perfected by to-morrow, when I intend to put a close to this session.

“I take the opportunity to acquaint you, that my late uncertain state of health, the care of my little family, and my private affairs, on the other side, have at last determined me to make use of that licence of absence, which has been some time ago so graciously granted me ; but with a firm resolution to return to you again, if it is his majesty's pleasure that I should do so ; but if that proves otherwise, I assure you that whilst I live, I shall be watchful and industrious to promote the interest and welfare of this country, of which I think I am under the strongest obligations for the future, to account myself a countryman.

“I look with pleasure on the present quiet and flourishing state of the country here, while I reflect on that in which I found them at my arrival. As the very name of party, or faction, seems to be forgotten, may it ever remain buried in oblivion, and no strife ever happen amongst you ; but that laudable emulation ; who shall approve himself the most zealous servant, and most dutiful subject of the best of princes, (George I.) and most useful member of a well established, and flourishing community ; of

which you gentlemen, have given a happy example, and which I hope will be followed by all future assemblies. I mention it to your honor, and without ingratitude and breach of duty, I could do no less."

This address needs no comment: we will pursue the subject and insert the reply of the house, which when taken collectively, may serve to shew the striking contrast between the beginning, and ending of this administration.

*Answer of the House to the Governor's Address.**

"SIR,

"When we reflect upon your past conduct, your just, mild, and tender administration, it heightens the concern we have for your departure, and makes our grief such as words cannot truly express. You have governed well, and wisely, like a prudent magistrate, like an affectionate parent; and wherever you go and whatever station the Divine Providence shall please to assign you, our sincere desires and prayers for the happiness of you and yours, shall ever attend you.

"We have seen many governors, and may see more, and as none of those who had the honor to serve in your station, were ever so justly fixed in the affections of the people, so those to come can acquire no more reputation, when it can be said of them, their conduct has been like yours.

"We thankfully accept the honor you do us in calling yourself our countryman; give us leave then to desire that you will not forget this as your country, and if you can, make haste to return to it.

* This was ascribed to the pens of Col. Morris and Mr. Speaker Livingston.

“ But if the service of our sovereign will not admit of what we so earnestly desire, and his commands deny us that happiness ; permit us to address you as our friend ; and give us your assistance, when we are oppressed with an administration the reverse of yours.”

With this mutual and reciprocal interchange of gratitude and affection, the session closed, and on the 31st of July, 1719, Governor Hunter took an affectionate leave of his friends in America, and sailed for England. Colonel Peter Schuyler,* upon the departure of Governor Hunter, as the eldest councillor, took the chair, where he presided with great wisdom and prudence. The most conspicuous features in his administration, were an Indian treaty at Albany, where the ancient alliances were renewed, and the final settlement of the boundary line with New-Jersey was made.

* The famous Colonel Schuyler, agent for Indian affairs.

CHAPTER XXV.

NEW-YORK CONTINUED.

On the 17th of September, 1720, William Burnet, Esq. arrived with the king's commission, and relieved Colonel Schuyler from the duties of the chair, and commenced his administration as governor; and Colonel Schuyler became his eldest counsellor. Governor Burnet was a scholar and a gentleman; studied the arts of pleasing, and strove by his address to become popular. He delighted to preside as chancellor, but his precipitancy often involved his decisions in controversy, and he shewed himself to be no lawyer.

Governor Burnet might be said to be poor; and to obtain the office of governor of New-York, he exchanged the office of comptroller of the customs at London, with Governor Hunter. By his acquaintance with the former governor, he acquired a knowledge of the affairs, as well as of the characters of men, in the province, and as the late governor recommended all his old friends in office, to Governor Burnet, he had occasion to make but few changes in the government. The leading characters in the government at this time, were Chief Justice Morris, Col. Schuyler, Mr. Philipse, and others.

Dr. Colden, agent for Indian affairs, whose knowledge of the concerns of the province were extensive, particularly, the affairs relating to the French and Indians; and a Mr. Alexander, a noted lawyer, whose professional knowledge was very useful to the governor, were ranked amongst his first friends. The wisdom and talents of these gentlemen soon brought them near to the chair, and raised them to the council board, in place of Colonel Schuyler and Mr. Philipse, removed.

Governor Burnet met the assembly in October, with a very popular speech, by calling up their attention to the repeated aggressions of the French, and their intrigues to alienate the affections of the Indians, and thus destroy that mutual harmony and confidence, that New-York enjoyed with the Five Nations.

The house met this address cordially, and in their reply, they expressed to his excellency the following compliment.

“We believe that the son of that worthy prelate, so eminently instrumental, under our glorious monarch, William III. in delivering us from arbitrary power, and its concomitants, Popery, superstition, and slavery, has been educated in, and possesses those principles that so justly recommended his father to the counsel and confidence of protestant princes; and succeeds our former governor, not only in power, but inclination to do us good.”

The house manifested the sincerity of these sentiments, by granting to governor Burnet, a support for five years; a duty of two per cent on the prime cost of all European goods, imported into the colony,* &c. Since the peace of Utrecht, the trade between Albany and Canada had greatly increased, particularly in goods suitable for the Indian trade, which had alarmed the chiefs of the Five Nations, lest by this means, their immediate dependence on the English at Albany, and the intrigues of the French, should weaken, if not destroy the former alliance and friendship: they had complained to the commissioners of Indian affairs, who wrote to Governor Hunter, during his administration; but no attempts had been made to correct this evil. Gov. Burnet caused this letter to be laid before the assembly, which led them to pass an act, prohibiting the trade so carried on with Canada. This act, notwithstanding the wis-

* The king repealed this act soon after.

dom and good policy, as well as necessity of the measure, wounded the popularity of Governor Burnet, together with the harmony of the colony, and raised up an opposition that followed him through his whole administration. The design of this act was, to bring all the Indian trade to Albany, as well as to call off from the French interest, the Caghnawagas, who were the carriers for the French from Albany to Montreal.

The importing merchants of the city of New-York felt this act, as well as the duty of two per cent; they both touched their interest, and their clamour caused the latter to be repealed, and reproached Governor Burnet as the author of the former. This is not the only instance in which a sordid, and contracted avaricious spirit, has wounded the feelings, and marred the reputation of the best of men, as well as defeated the best interests of the community. They have been common to men in all countries, and all ages of the world.

Governor Burnet saw the necessity of counteracting, as far as possible, that extensive policy which the French had adopted and pursued, in extending their line of military post, upon the western frontier of the colonies; and commenced the erecting and establishing a trading house, at Oswego, amongst the Senecas, in 1722, not only to secure the trade of the confederates; but their friendship also, through the instrumentality of trusty, and faithful agents, who might reside amongst them.

This year the governors, and commissioners of many of the colonies, met at Albany, to renew and strengthen the ancient friendship with the northern Indians, which was accomplished to general satisfaction, and the chiefs sent a message of war against the eastern Indians, unless they made a speedy peace with the English.

We have noticed the Tuscarora war, in the history of Carolina, and the removal of that tribe to join the con-

federate Five Nations, in the year 1712, by which union *the Five Nations* now became, and continued hereafter to be termed *the Six Nations*. In 1723, the Six Nations were joined by the Nicariagas, consisting of about eighty warriors, besides some women and children; who came down from the country north of Michilimakinak; but they were never united to the confederacy, as the Tuscaroras had been.

In this state of things, the affairs of the colony appeared to be prosperous and happy; but the demon of discord was not yet destroyed; the clamour of the merchants against the act of trade, continued; that assembly which had cherished the spirit of order and concord, had not been dissolved under the new administration, and ambitious demagogues had not as yet found a place to gratify their ambition, in a new election; these joined the clamour against the governor, and represented this procedure as unconstitutional, as well as impolitic. These clamours reached England, and the London merchants joined the New-York merchants in the opposition, by presenting a petition to the king against the late colonial act of trade. This petition was referred to the board of trade, who heard the complaints of the party, and transmitted the whole to Gov. Burnet, that he might explain in his own defence. Gov. Burnet laid the whole proceedings before the council, who entered with spirit into the merits of the question, and addressed to the governor the following report, or defence:

May it please your Excellency—

In obedience to your excellency's commands, in council, the 29th of October, referring to us a petition of several merchants in London, presented to the king's most excellent majesty, against renewing an act in this province, entitled "an act for encouraging the Indian trade, and rendering it more effectual to the inhabitants of this pro-

vince, and for prohibiting the selling of Indian goods to the French.” As likewise the several allegations of the said merchants, before the right hon. the lords of trade and plantations; we beg leave to make the following remarks :

‘ In order to make our observations the more distinct and clear, we shall collect the several assertions of the said merchants, both in their petition, and those verbally delivered before the lords of trade, as to the situation of this province with respect to the French, and Indian nations; and observe on them, in the first place, they being the foundation on which all their other allegations are grounded. Afterwards we shall lay before your excellency, what we think necessary to observe, on the other parts of the said petition, in the order they are, in the petition, or in the report of the lords of trade.

In their geographical account, they say, “ Besides the nations of Indians that are in the English interest, there are very many nations of Indians, who are at present in the interest of the French, who lie between New-York and the nations of Indians in the English interest. The French and their Indians would not permit the English Indians to pass over by their forts.” The said act “ restrains them (the Five Nations) from a free commerce with the inhabitants of New-York.

“ The five Indian Nations are settled upon the banks of the river St. Lawrence, directly opposite to Quebeck, two or three hundred leagues distant from the nearest British settlements in New-York.

“ They (the five nations of Indians) were two or three hundred leagues distant from Albany; and that they could not come to trade with the English, but by going down the river St. Lawrence, and from thence through a lake, which brought them within eighteen leagues of Albany.”

‘ These things the merchants have thought it safe for them, and consistent with their duty to his sacred majesty,

to say in his majesty's presence, and to repeat them afterwards before the right honourable the lords of trade, though nothing can be more directly contrary to the truth. For there are no nations of Indians between New-York and the nations of Indians in the English interest, who are now six in number, by the addition of the Tuscaroras. The Mohawks (called Annies or Agnies by the French) one of the Five Nations, live on the south side of a branch of Hudson's River, (not on the north side as they are placed in the French maps) and but forty miles directly west from Albany, and within the English settlements; some of the English farms, upon the same river, being thirty miles further west. The Oneidas (the next of the Five Nations) lie likewise west from Albany, near the head of the Mohawks river, about one hundred miles from Albany. The Onondagas lie about one hundred and thirty miles west from Albany; and the Tuscaroras live partly with the Onondagas. The Cayugas are about one hundred and sixty miles from Albany; and the Senecas (the furthest of all these nations) are not above two hundred and forty miles from Albany, as may appear from Mr. D'Isle's map of Louisania, who lays down the Five Nations under the name Iroquois; and goods are daily carried from this province, to the Senecas, as well as to those nations that lie nearer, by water, all the way, except three miles (or in the dry season five miles) where the traders carry over land between the Mohawks river, and the Wood Creek, which runs into the Oneidas Lake, without going near either St. Lawrence River, or any of the lakes upon which the French pass, which are entirely out of their way.

‘ The nearest French forts or settlements to Albany, are Chambly and Montreal, both of them lying about north and by east from Albany, and are near two hundred miles distant from it. Quebeck lies about three hundred and

eighty miles north-east from Albany. So far is it from being true, that the Five Nations are situated upon the banks of the river St. Lawrence, opposite to Quebeck, that Albany lies almost directly between Quebeck and the Five Nations. And to say that these Indians cannot come to trade at Albany, but by going down the river St. Lawrence, and then into a lake eighteen leagues from Albany, (we suppose they mean Lake Champlain,) passing by the French forts, is to the same purpose as if they should say, that one cannot go from London to Bristol, but by way of Edinburgh.

‘ Before we go on to observe other particulars, we beg leave further to remark, that it is so far from being true, that the Indians in the French interest, lie between New-York and our Five Nations of Indians; that some of our nations of Indians lie between the French and the Indians, from whence the French bring the far greatest quantity of their furs: for the Senecas (whom the French call Sonontouons,) are situated between Lake Erie and Cadaracqui lake, (called by the French Ontario) near the great fall of Niagara, by which all the Indians that live round Lake Erie, round the lake of the Hurons, round the lake of the Illenois, or Michegan, and round the great upper lake, generally pass in their way to Canada. All the Indians situated upon the branches of the Mississippi, must likewise pass by the same place, if they go to Canada. And all of them likewise, in their way to Canada, pass by our trading-place upon the Cadaracqui lake, at the mouth of the Onondago River. The nearest and safest way of carrying goods upon the Cadaracqui lake, towards Canada, being along the south side of that lake, (near where our Indians are settled, and our trade of late is fixed) and not by the north side of Cadaracqui, or Frontinac fort, where the French are settled.

‘ Now that we have represented to your excellency, that not one word of the geography of these merchants is true, upon which all their reasoning is founded ; it might seem needless to trouble your excellency with any further remarks, were it not to show with what earnestness they are promoting the French interest, to the prejudice of all his majesty’s colonies in North America, and that they are not ashamed of asserting any thing for that end, even in the royal presence.

‘ First they say, “ That by the act passed in this province, entitled, An act for the encouragement of the Indian trade, &c. All trade whatsoever is prohibited in the strictest manner, and under the severest penalties, between the inhabitants of New-York government, and the French of Canada.”

‘ This is not true ; for only carrying goods to the French, which are proper for the Indian trade, is prohibited. The trade, as to other things, is left in the same state it was before that act was made, as it will appear to any person that shall read it ; and there are, yearly, large quantities of other goods, openly, carried to Canada, without any hindrance from the government of New-York. Whatever may be said of the severity and penalties in that act, they are found insufficient to deter some from carrying goods clandestinely to the French ; and the legislature of this province are convinced, that no penalties can be too severe, to prevent a trade, which puts the safety of all his majesty’s subjects of North America in the greatest danger.

‘ Their next assertion is, “ All the Indian goods have by this act been raised 25%. to 30%. per cent.” This is the only allegation in the whole petition that there is any ground for. Nevertheless, though the common channel of trade cannot be altered, without some detriment to it in the beginning ; we are assured from the custom-house books,

that there has been every year, since the passing of this act, more furs exported from New-York, than in the year immediately before the passing of this act. It is not probable that the greatest difference between the exportation, any year before this act, and any year since, could so much alter the price of beaver, as it is found to be this last year. Beaver is carried to Britain from other parts, besides New-York, and it is certain that the price of beaver is not so much altered here, by the quantity in our market, as by the demand for it in Britain. But as we cannot be so well informed here, what occasions beaver to be in greater demand in Britain, we must leave that to be enquired after in England. However, we are fully satisfied that it will be found to be for very different reasons from what the merchants alledge.

The merchants go on to say, “Whereas, on the other hand this branch of the New-York trade, by the discouragements brought on it by this act, is almost wholly engrossed by the French, who have become already encouraged by this act to send proper European goods to Canada, to carry on this trade, so that should this act be continued, the New-York trade, which is very considerable, must be wholly lost to us, and centre in the French. Though New-York should not furnish them, the French would find another way to be supplied therewith, either from some other of his majesty’s plantations, or it might be directly from Europe; many of the goods which the Indians want, being as easy to be had directly from France, or Holland, as from England.”

‘This is easily answered, by informing your excellency that the principle of the goods proper for the Indian market, are only of the manufactures of Great Britain, or of the British plantations, viz. Stroud, or stroud-waters, and other woollens, and rum. The French must be

obliged to buy all their woollens, (strouds especially,) in England, and thence carry them to France, that they may be transported to Canada.

‘ The voyage to Quebec through the Bay of St. Lawrence, is well known to be the most dangerous in the world, and only practicable in the summer months. The French have no commodities in Canada by reason of the cold, and barrenness of the soil, proper for the West-India markets; and therefore have no rum, but by vessels from France, that touch at their islands in the West-Indies. It is manifest, therefore, that the French cannot import goods near so cheap to Canada, as they are imported to New-York.

‘ But to put this out of all controversy, we need only observe to your excellency, that strouds, (without which no considerable trade can be carried on with the Indians) are sold at Albany for 10*l.* a-piece: they were sold at Montreal, before this act took place, at 13*l.* 2*s.* 6*d.* and now they are sold there for 25*l.* and upwards; which is an evident proof (that the French have not in these four years time during the continuance of this act) found out any other way to supply themselves with strouds; and likewise that they cannot trade without them, seeing they buy them at so extravagant a price.

It likewise appears that none of the neighbouring colonies have been able to supply the French with these goods, and those that know the geography of the country, know it is impracticable to do it, at any tolerable rate, because they must carry their goods ten times further by land, than we need to do.

‘ We are likewise assured, that the merchants of Montreal, lately told Mr. Vaudreuil, their governor, that if the trade from Albany be not by some means or other encouraged, they must abandon that settlement. We have reason therefore to suspect, that these merchants

(at least some of them) have been practised upon by the French agents in London ; for no doubt, the French will leave no method untried to defeat the present designs of this government, seeing they are more afraid of the consequences of this trade, between New-York and the Indians, than of all the warlike expeditions that ever were attempted against Canada.

But to return to the petitioners. “ They conceive that nothing can tend more to the withdrawing the affections of the Five Nations from the English interest, than the continuance of this act ; which, in its effects, restrains them from a free commerce with New-York, and may too probably estrange them from the English interest ; whereas a freedom of commerce and an encouraged intercourse of trade with the French, and their Indians, the English interest might, in time, be greatly improved and strengthened.”

It seems a strange argument to say, that an act, the whole purport of which is to encourage our own people to go amongst the Indians, and to draw the far Indians through our Indian country to Albany (and which has truly produced these effects) would, on the contrary, restrain them from a free commerce with the inhabitants of New-York, and may too probably estrange them from the English interest ; and therefore that it would be much wiser in us to make use of the French, to promote the English interest ; and for which end, we ought to encourage a free intercourse between them and our Indians. The reverse of this is exactly true, in the opinion of our Five Nations ; who in all their publick treaties with this government, have represented against this trade, as the building the French forts with English strouds ; that the encouraging a freedom of commerce with our Indians, and the Indians round them, who must pass through their country to Albany, would certainly increase both the English interest and theirs, among all the nations to the west-

ward of them ; and that the carrying the Indian market to Montreal in Canada, draws all the far Indians thither.

‘ The last thing we have to take notice, of is what the merchants asserted before the lords of trade, viz. “ That there has not been half the quantity of European goods exported since the passing of this act, that used to be.”— We are well assured, that this is no better grounded than the above facts, they assert with the same positiveness. For it is well known, almost to every person in New-York, that there has not been a less, but rather a greater, quantity of European goods imported into this place, since the passing of this act, than was at any time before it, in the same space of time. As this appears by the manifests in the custom house here, the same may likewise be easily proved by the custom house-books in London.

As all the arguments of the merchants run upon the ill effects this act has had upon the trade and the minds of the Indians, every one of which we have shewn to be asserted, without the least foundation to support them ; there nothing now remains, but to shew the good effects this act has produced, which are so notorious in this province, that we know not one person that now opens his mouth against the act.

Before this act passed, none of the people of this province travelled into the Indian countries to trade. We have now above forty young men, who have been several times as far as the lakes a trading, and thereby become well acquainted, not only with the trade of the Indians, but likewise with their manners and languages ; and those have returned with such large quantities of furs, that greater numbers are resolved to follow their example ; so that we have good reason to hope, that in a little time the English will draw the whole Indian trade of the inland countries to Albany, and into the country of

the Five Nations. This government has built a publick trading house upon Cataracqui lake, at Irondequat, in the Senecas' land, and another is to be built, next spring, at the mouth of the Onondagas' river. All the far Indians pass by these places, in their way to Canada ; and they are not above half so far from the English settlements, as they are from the French.

So far it is from being true what the merchants say, " That the French forts interrupt all communication between the Indians and the English ;" that if these places be well supported, as they easily can be from our settlements, in case of a rupture with the French, it will be in the power of this province, to intercept the greatest part of the trade between Canada and the Indians round the lakes and the branches of the Mississippi.—Since this act passed, many nations have come to Albany to trade, in peace and friendship, whose names had not so much as been heard of among us.

' In the beginning of May, 1723, a nation of Indians came to Albany, singing and dancing, with their Calumets before them, as they always do when they come to any place where they have not been before. We do not find that the commissioners of Indian affairs have been able to inform themselves what nation this was. Towards the end of the same month, eighty men, besides women and children, came to Albany in the same manner. These had one of our Five Nations with them as an interpreter, by whom they informed the commissioners, that they were of a great nation, called Nehkereages, consisting of six castles and tribes ; and that they lived near a place called by the French Michilimakinak, between the upper lake, and the lake of the Hurons. These Indians not only desired a free commerce, but likewise to enter into a league of strict friendship with us, and our Six Nations, that they might be accounted the seventh nation in the league ; and

being received accordingly, they left their Calumet as a pledge of their fidelity. In June another nation arrived, but from what part of the continent we have not learned. In July the Twightwies arrived, and brought an interpreter of our nations with them, who told that they were called by the French Miamies, and that they lived upon one of the branches of the Mississippi. At the same time some of the Tahsigrondie Indians, who live between Lake Erie and Lake Huron, near a French settlement, did come and renew their league with the English, nor durst the French hinder them. In July of this year another nation came, whose situation and name we know not; and in August and September, several parties of the same Indians, that had been here the last year; but the greatest number of these far Indians have been met this year in the Indian country, by our traders, every one of them endeavouring to get before another, in order to reap the profits of so advantageous a trade, which has all this summer past kept about forty traders constantly employed, in going between our trading places, in our Indian country and Albany.

All these Indians, who came to Albany, said, that the French had told them some strange stories of the English, and did what they could to prevent their coming to Albany; but they had resolved to break through by force. The difference on that point between the Tahsagrondie Indians and the French, (who have a fort and settlement there, called by them Detroit,) rose to that height, that Monsieur Tonti, who commanded there, thought proper to retire, and return to Canada, with many of his men," &c.

I have given this luminous report, thus far, at large, because it contains so much correct and interesting matter, relative to the Indians; and the trade, and geography of the Indian country. Had it been consistent with the limits of this work, I would have inserted the whole. I shall

make no further comment upon this report, than barely to say, that it produced the desired effect, and defeated the prayer of the petition.

Hitherto I have had occasion to say very little of the state of religion in this colony; but at this time a religious feud sprang up, which ought not to pass unnoticed.

When the persecutions raged in France in the reign of Lewis XIV. against the Huguenots, or French Protestants, upon the revocation of the Edict of Nantz, more than 600,000 of that wretched people fled into banishment, and some of the number took refuge in the city, and colony of New-York.* Those who settled within the city, established a church upon the plan of the Protestants in France or Geneva. This church flourished, and at this time had become the second church and congregation in the city of New-York, in point of numbers, wealth, and respectability, 1724. This congregation employed two ministers, (as was common to the Protestant churches at that day,) who were totally unlike to each other in all things, except in points of faith. Roce, the principal, was a gay, passionate, pleasurable, learned courtier, in holy orders. Moulinaars, his colleague, was in all respects exactly the reverse, in every point of character, except in learning; he was but an indifferent scholar. The splendid talents and address of the first, kept the latter in the shade, which awakened resentment that kindled a party, that divided the church; and the majority adhering to the colleague; dismissed the principal from the church, and obtained a ratification of their doings from a majority of the congregation. Roce's friends petitioned the governor for redress, who referred the petition to a committee of the council, who advised to a reconciliation, which was attempted; but without effect; and Roce brought a bill in chancery before the governor. The el-

* New-Rochelle was planted by these people at this time.

ders who had removed Roce, plead to the jurisdiction of the court, by their attorney ; alleged that the cause was entirely ecclesiastical, and ought to be heard and determined upon the principles of the government of the Protestant churches in France, &c. The court overruled the plea, and being about to give judgment in the case, the defendants withdrew, restored the minister, and left the church.

This act of the governor kindled a fire, not only in this church, but which extended in its influence and effects into the government, and finally hunted him from his own seat, and compelled him to abandon the chair, and return to England, as will be seen in the sequel.

The trading house at Oswego flourished, and the traders returned in the fall from this post, in fifty seven canoes, laden with seven hundred and thirty eight packs of beaver. This, together with the new fort at the mouth of Onondaga, gave a general alarm to the French in Canada, and they launched two vessels upon Lake Ontario, in 1726, and proceeded to repair their fort at Niagara, in order to secure to themselves this valuable trade, by a conveyance down the lake, under such a naval protection. Monsieur De Longueil, governor of Canada, made a visit to the Onondagas, in the year 1725, for the purpose of obtaining their consent to his repairing the fort at Niagara ; which, he obtained, by the assistance of the French Jesuits, who resided amongst them : but the Senecas, who claimed the land, and adjacent country, together with the other tribes, raised objections, and forbade the work to go on. The French heard the objection ; but pushed the work, and by their intrigues, kept the Indians quiet at the same time. This they effected through the influence of Joncaire, a French Jesuit, who had long resided amongst the Five Nations ; was a man of great address and intrigue, and spoke with fluency the Iroquois language. Governor Bur-

net was not unmindful of the proceedings of the French at Niagara, nor inactive in his measures to defeat them ; but the intrigues of Joncaire, the activity of the French, and the feuds in his own government, were too powerful for him to resist, and overcome ; and the French succeeded, and repaired the fort. This was one of the most important, as well as commanding fortresses that had yet been erected, and when joined to the fortress at Cataracqui, gave to Canada the command of the trade of Lakes Ontario and Erie, and thus opened a communication into the vast regions of the west.

When the English saw the effects and consequences, that would necessarily result from this fort at Niagara, they began to become seriously alarmed for the fate of the fur trade. Governor Burnet, remonstrated to Monsieur De Longueil ; then to the French court ; then assembled the confederates at Albany, where he, in a long and interesting address, admonished them of their neglect in suffering the French to establish such a fortress upon the back of their cantons, warned them of their danger, and conjured them to unite with the English, (who had ever been their friends and protectors,) to defeat the designs of the French.

The council listened with deep attention ; felt the force of the governor's advice, and returned the following laconic reply.

“ We speak now in the name of all the Six Nations, and come to you howling. This is the reason why we howl, that the governor of Canada incroaches upon our lands, and builds forts thereon.”

They next requested the governor to obtain succours from his king, and assist them to drive off the French ; to which he readily assented : and at the same time took the confederates under his special protection, by receiving a conveyance of their country to the crown of England, as a pledge of their fidelity.

Governor Burnet next proceeded to erect a fort at Oswego, to protect his trading establishment, in 1726, and to carry forward this important work, advanced fifty-six pounds from his own private estate, which has never been repaid.

In the midst of these pressing affairs, the new assembly met, in September, 1727, and Mr. Philipse was chosen speaker ; and on the 25th of November, the committee of grievances presented the following report.

“ That as well by the complaints of several people, as by the general cry of his majesty’s subjects in this colony, they find that the Court of Chancery, as lately assumed to be set up here, renders the liberties and properties of the said subjects extremely precarious ; and that by the violent measures taken in, and allowed by it, some have been ruined, others obliged to abandon the colony, and many restrained in it, either by imprisonment, or excessive bail exacted from them not to depart, even when no manner of suits are depending against them ; and therefore are of opinion, that the extraordinary proceedings of that court, and the exorbitant fees, and charges countenanced to be exacted by the practitioners, and officers thereof, are the greatest grievance and oppression, this colony hath ever felt ; and that for removing the fatal consequences thereof, they had come to several resolutions, which being read, were approved by the house, and are as follow :—

“ Resolved, That the erecting, or exercising, in this colony, a Court of Chancery, (however it may be termed,) without consent in General Assembly, is unwarrantable, and contrary to the laws of England, and a manifest oppression, and grievance to the subjects, and of pernicious consequence to their liberties and properties.

“ Resolved, That this house will, at their next meeting, prepare and pass an act, to declare and adjudge all orders, ordinances, devices, and proceedings of the court so as-

sumed, to be erected and exercised as above mentioned, to be illegal, null, and void, as by law and right they ought to be.

“Resolved, That this house, at the same time, will take into consideration, whether it be necessary to establish a court of equity, or chancery, in this colony; in whom the jurisdiction thereof ought to be vested, and how far the powers of it shall be prescribed and limited.”

This report operated as powerfully upon Gov. Burnet, as his decision did upon the defendants in the ecclesiastical case, and he dissolved the assembly; but the new assembly, which was called in the spring, passed an ordinance that ruined the court of chancery, by reducing the fees so low as to render them contemptible, and the court languished under the blow.

At this eventful moment, Gov. Burnet was removed from this government by his majesty, and placed in the chair of Massachusetts, as was noticed under New-England, and Col. John Montgomery was appointed his successor.

The true value of Gov. Burnet's administration, was never justly estimated, until the intrigues and encroachments of the French, at an after day, opened the eyes of the people to a sense of those labours, and efforts Gov. Burnet bestowed upon the protection of the trade, the construction of forts, and the peace and security he maintained in the Indian country. The effects and consequences resulting from this wise administration, have been noticed under New-England, in the wars that followed with Canada.

The administration of Gov. Montgomery, was remarkable for three things only; the first was, the repeal of Gov. Burnet's favourite act of trade, by his majesty, Dec. 1729. The second was, the final settlement of the boundary line with Connecticut, 1731; at which settlement, the tract of

land, called the Oblong, containing sixty thousand acres, was ceded to New-York, as an equivalent exchange for lands lying near the sound. The third was the encroachments of the French, in erecting a fort at Crown Point, on Lake Champlain, in the same year, 1731.

Notwithstanding the French settlements in Canada were small, when compared to the English colonies, both in numbers and extent, yet they managed with such sagacity, as to progress in their encroachments, and fortifications, upon the shores of the lakes, and thus circumscribe the limits of the English, and cut them off from their rightful trade and connection with the western Indians; and the fort at Niagara had added one great link to that chain of posts, which was destined to extend from Quebec to New-Orleans. Not content with all this, they now made their advances into the vicinity of Albany, and in erecting the fortress at Crown Point, they secured a free and sure intercourse into the settlements of New-York and New-England, and thus became the common scourge of these colonies. This fort was not only the key of Canada upon this lake, but became the rallying point for all the subsequent depredations, which have been noticed under New-England.

The subsequent general history of New-York, has been carried forward in the general history of New-England, in their wars with Canada, down to the conquest of that country, and the peace of Paris, 1763.

I shall now carry forward the history of Pennsylvania.

CHAPTER XXVI.

PENNSYLVANIA CONTINUED—FROM THE ARRIVAL OF THOMAS PENN, 1732, TO THE ADMINISTRATION OF JOHN PENN, IN 1763.

IN our last chapter upon Pennsylvania, the administrations of Governors Keith and Gordon were noticed ; we come once more upon the administration of a proprietary governor. Thomas Penn, a descendant of the former William Penn, arrived in Pennsylvania from England, in the month of August, 1732, when the general assembly of the province were in session, and entered upon the duties of the administration. The assembly expressed their emotions upon the occasion, by the following congratulatory address.—

“ May it please our Honorable Proprietary—

“ At the same time that we acknowledge the goodness of Divine Providence in thy preservation, we do most sincerely congratulate thee upon thy safe arrival into the province of Pennsylvania.

“ Our long and ardent desires to see one of our honorable proprietaries amongst us, are now fulfilled, and it is with pleasure we can say, thou art arrived at a time when the government is in perfect tranquillity, and that there seems to be no emulation amongst us ; but who shall by a peaceable and dutiful behaviour, give the best proof of the sense they have of the blessings derived to us, under our late honorable proprietary thy father, whose goodness to his people, deserves ever to be remembered with gratitude and affection.

“ Be pleased to accept of our best wishes for thy health and prosperity ; and give us leave to say, as no discouragements, nor any artifices of ill men, have hitherto been

able to deter the good people of Pennsylvania from a firm adherence to your honourable family, so we shall always, to the utmost of our power, support and maintain that government under which we do, with all gratitude, acknowledge we enjoy so many valuable privileges."

To this address, the proprietary returned the following reply:—

"Gentlemen—

"Permit me to express my hearty thanks to the honourable house, for your affectionate address. As I have ever viewed the best interest of Pennsylvania, and that of my family, to be inseparably connected; this honourable house may rest assured that it shall be my study to pursue those measures, which have rendered the government of my father so grateful to the good people of this province."

In May, preceding the arrival of the proprietary, the boundary line had been amicably run, between Pennsylvania and Maryland, and established and confirmed by the commissioners appointed by the proprietaries of those provinces, in due form.

Notwithstanding this amicable adjustment of this boundary, the proprietor of Maryland made such objections to certain parts of the line, as kept the settlers, contiguous to those parts, subject to unreasonable claims from the proprietor of Maryland, until the year 1762, when the whole controversy was settled by *Charles Mason* and *Jeremiah Dixon*, upon their return from an observation of the transit of Venus, at the Cape of Good Hope, where they had been sent for that purpose. Under this survey, the line was stoned out as it now stands.

In October, 1734, Mr. John Penn, son of the late William Penn, another of the proprietaries, arrived in the

province from England, and was kindly received by an affectionate address from the assembly, to which he returned a kind and affectionate reply.

In 1735, Lord Baltimore petitioned the king, that the three lower counties on *Delaware*, might be annexed to Maryland, as lands belonging of right to his original charter. This petition was opposed by Richard Penn, Esq. another of the proprietaries, and then in England, and upon the arrival of the news of this petition, which was transmitted to Gov. Gordon, John Penn embarked for England, where he died, unmarried, in the year 1746, leaving his two shares, which equalled one half, to his brother Thomas, who with Richard, were now the sole proprietors.

In 1736, Governor Gordon died, greatly lamented, and the administration devolved upon James Logan, as president of the council, a man of talents and integrity, who had been many years in the government, as member of the council. The Maryland claims, upon the contested line, and the restless spirit of the Indians, claimed the particular attention of President Logan; and were both managed with prudence and success.

In 1738, Governor Thomas arrived, and on the 8th of August, he met the assembly with an address, in which he informed them, that he had been appointed their governor about a year; but the claims of Lord Baltimore had prevented his sailing, until that question was decided against his claim, and his commission extended to the three lower counties in question. In July of the next year, Andrew Hamilton, Esq. who had been long speaker of the house of assembly, retired from his station, through the infirmities of age, and thus by his address, took leave of the house.

“Gentlemen, &c.

“I would beg leave to observe to you, that it is not to the fertility of our soil, and the commodiousness of

our rivers, that we ought chiefly to attribute the great progress this province has made, within so small a compass of years, in improvements, wealth, trade, and navigation; and the extraordinary increase of the people, who have been drawn hither from almost every part of Europe; a progress, which much more ancient settlements, on the main of America, cannot boast; no, it is principally, and almost wholly owing to our excellent constitution; under which we enjoy a greater share of civil, and religious liberty, than any of our neighbours.

“It is our great happiness, that instead of triennial elections, a privilege which several other colonies have long endeavoured to obtain, ours are annual; and for that reason less liable to be practised upon, or corrupted, either with money, or otherwise by presents. We sit upon our own adjournments, where we please, and as long as we think necessary; and we are not to be sent a packing in the midst of a debate, and disabled from representing our just grievances to our gracious sovereign, if there should be occasion, which has often been the fate of assemblies in other places.

“We have no officers but what are necessary, none but what earn their salaries, and those generally are elected by the people, or appointed by their representatives.

“Other provinces swarm with unnecessary officers, nominated by the governors, who often make it a main part of their care to supply officers, (notwithstanding their oppressions,) at all events.

“I hope it will ever be the wisdom of our assemblies, to create no great offices, nor officers, nor indeed any office at all, but what is absolutely necessary for the service of the country, and to be sure to let the people, or their representatives, at least, have a share in their appointment. This will always be a good security against the mischievous influence of men holding places at the pleasure of the governor.

“ Our foreign trade and shipping, are free from all imposts, except those small duties payable to his majesty, by the statute laws of Great-Britain. The taxes which we pay for carrying on our public services, are very inconsiderable, for the sole power of raising and disposing of money is lodged with the assembly, who appoint their own treasurer; and to whom alone he is accountable. Other incidental taxes are raised, collected, and applied, by persons annually chosen by the people themselves. Such is our happy state as to our civil rights.

“ Nor are we less happy in the enjoyment of a perfect freedom, as to our religious rights. By many years experience, we find that an equality amongst religious societies, without distinguishing any one sect, with greater privileges than another, is the most effectual method to discourage hypocrisy, and promote the practice of the moral virtues, and prevent the plagues and mischiefs that always attend religious squabbling.

“ This is our constitution, and this constitution was framed by the wisdom of William Penn, the first proprietary, and founder of this province; whose charter of privileges to the inhabitants of Pennsylvania, will ever remain a monument of his benevolence to mankind, and reflect more lasting honor on his descendants, than the largest possessions. In the framing this government, he reserved no powers to himself, or his heirs, to oppress the people; no authority but what is necessary for our protection, and to hinder us from falling into anarchy; and therefore supposing we could persuade ourselves that all our obligations to our great lawgiver, and his honourable descendants, were entirely cancelled; yet our own interests should oblige us carefully to support the government, on its present foundation, as the only means to secure to ourselves and our posterity, the enjoyment of those privileges, and the blessings flowing from such a constitution, under which

we cannot fail of being happy, if the fault is not our own.

“ Yet I have observed, that in some former assemblies, there have been men, who have acted in such a manner, as if they actually disregarded all those inestimable privileges, and (whether from private pique, or personal dislike, or through mistake, I will not determine) have gone great lengths, in risking our happiness, in the prosecution of such measures, as did not at all square with the professions they frequently made, of their love to our government.

“ When I reflect on the several struggles which many of us, who are now present, have had with those men, in order to rescue the constitution out of their hands, which through their mistakes, (if they really were mistakes,) was often brought to the brink of destruction ; I cannot help cautioning you, in the most earnest manner, against all personal animosity, in public consultations, as a rock, which if not avoided, the constitution will at some time or other, infallibly split upon.”

Who that reads with attention, the valedictory address of this aged public servant, can withhold the tribute of respect justly due to his merits, and his virtues, and not say, *that man deserved well of his country.*

In 1741, Thomas Penn took an affectionate leave of the assembly of the province, and returned to England; and in 1746, as has been observed, he came into possession of three fourths of the province.

In 1742, faction sprang up in this happy government, and greatly disturbed the public peace. Faction, which at a popular election, that palladium of true and rational liberty, finding herself overpowered by the wise and good, felt her disappointment, and as is too often the case, had

recourse to violence, and armed herself with a mob of sailors from the shipping, then in the port of Philadelphia ; who, armed with clubs, forced themselves into the midst of the assembly, and by violence destroyed the polls. The people, alive to the wrongs they had suffered by this outrage, returned to their duty, again and again ; but were as often dispersed ; at length, stung with resentment at such flagrant abuse of their sacred rights, they rallied to the combat, under the proper authority ; dispersed the mob ; seized and imprisoned about fifty of their leaders, and drove the others on board the ships. The mobs thus being quelled, the electors went forward and closed the business of the day.

This lesson taught them how to prize the blessings of their free and excellent government, and led them to fix a watchful eye upon the sons of faction, strife, discord, and revolution ; and taught them to remember that the extremes of liberty become corruption, and always produce anarchy, discord, strife, and confusion ; then follow of course, blood, tyranny, and despotism.

In 1747, the affairs of the province had become generally quiet, when Governor Thomas resigned, and was succeeded by Governor Hamilton, in 1748. Governor Hamilton continued until 1754, when he resigned and was succeeded by Robert Morris of New-Jersey, son of Lewis Morris of that province, who was succeeded, in 1756, by William Denny, from England, who was succeeded by James Hamilton, who became governor the second time, and continued until 1763, when he was succeeded by the proprietary, John Penn, son of Richard Penn, who continued until 1771.

The subsequent history of this province, will be carried forward with the history of all the other colonies, collectively, from the peace of Paris, 1763.

CHAPTER XXVII.

CAROLINA CONTINUED.—GOV. JOHNSTON'S ADMINISTRATION CONTINUED.—COLONIES FROM MORAVIA, IRELAND, AND SCOTLAND, ARRIVE IN CAROLINA.—APPOINTMENT OF GOV. TRYON, 1764.

IN the reign of King James I. the Earls of Tyrone and Tyrconnel, put themselves at the head of a Catholic insurrection in Ireland, which proved to be a serious rebellion against the English government ; but being subdued by the crown, they fled, and left their vast estates,* upon a process of outlawry, to escheat to the crown. These estates, at that time, were uncultivated generally, and covered with forests, desolated by war, or infested with robbers. To render these lands valuable to the crown, King James caused them to be surveyed into small tracts, and offered to settlers, who would actually commence their settlements within four years. The terms were liberal, and a preference was given to the Protestants in the west of Scotland. These people readily accepted the terms, and emigrated from Scotland, to avoid that prelacy, which had been imposed upon them in the years 1637, and in 1661. The Presbyterian, or the religion of the Kirk of Scotland, was the religion of their hearts, and they fled to Ireland to enjoy it. This colony of Scotch flourished greatly in Ireland, and when augmented with the remains of Cromwell's army, they had become the principal inhabitants, or most numerous inhabitants, in the six northern counties of Ireland, at the close of the seventeenth century ; and have ever continued firm supporters of a Protestant succession in England, and faithful friends of the dynasty of Hanover : nevertheless they were persecuted by the Irish Catholics, and depressed in their civil capacities, to such a de-

* About five hundred thousand acres.

gree, that they resolved to emigrate as a body, and seek a quiet retreat in America ; to effect this, they embarked in Ireland, and landed in Pennsylvania ; but not finding that quantify of land they wished, nor the terms such as they expected, they removed into Virginia, where both land and terms were to their mind ; but the administration of that province did not favour their religion, and they pursued their route into Carolina, where they settled, and flourished, and became both numerous and respectable, and their descendants after them. About 1753, six young men from Pennsylvania, of the Moravian fraternity, removed into the interior of North Carolina, made a survey of seventy thousand acres of land, lying between the Dan and Yadkin rivers, and afterwards added thirty thousand more to the first survey ; made the purchase, and took the deeds in the name of James Hutton, secretary of a society of Moravian brethren, then in England, who contemplated to remove on to the tract, and make a settlement. This fraternity had been driven by a Catholic persecution from the land of their fathers in Moravia, and fled into England ; and from thence contemplated to make this removal to America, where, like the Puritans, they might enjoy their religion, in quiet, and peace. The principles of these Moravians will be noticed more particularly in the third volume of this work. In the year 1753, twelve young men from the Moravian colony in Pennsylvania, removed on to this survey, and commenced a settlement upon these lands ; and the next year several others, from the same fraternity, joined them. In the infancy of their settlement, an Indian war commenced, that compelled them to enclose their settlement with palisades, after the manner of an Indian castle, and thus secure their village from the ravages of the enemy ; for the Moravians, like the Quakers, never bear arms. In this state of the settlement, they were incorporated into a dis-

ting parish, or society, and the name of their village was called Bethabara. The Indians, regarding the peaceable disposition of these people, gave them but little molestation, and the colony prospered, so that in 1759, they commenced the settlement of Bethany, distant about three miles, and in 1763, they were able to erect a church, and support a preacher. The way was now prepared for the first Moravian colony from England, who arrived soon after, and commenced the village of Salem, which was designed for a manufacturing town. These lands, in the whole purchase, were not only owned in joint stock, but the productions of the lands had been treated as joint stock, and consumed in common, until the artists, or tradesmen, removed from Bethabara to Salem, and then the joint partnership ceased. This joint partnership was not binding upon any against their will; but each one was at liberty to withdraw when he chose. The original design of this, was to share jointly the expence of assisting the poor, or such as could not provide for themselves. Some of the factories erected at Salem, are large establishments, under the care of trustees, and the profits arising therefrom, are first applied to the payment of the principal and interest of the establishment, and then the surplus is expended in erecting other public buildings, supporting ministers, schools, Indian missionaries, aged widows, poor orphans, &c. and no manufacturing interest has flourished more in this country, than this of Salem. Such was the prosperity of this colony, that they were joined by a colony from New-England, who erected a church and school-house, upon one corner of the Moravian purchase. A colony also from Maryland, moved on to the purchase, and erected a church and school-house upon another part of the tract. These three colonies lived, and continue to live, in the greatest harmony, and enjoy the pleasures of a mutual social intercourse, in peace, happiness, and prosperity.

In the year 1747, a colony from the Highlands of Scotland, under their Laird or chief, Neal McNeal, embarked for America, and landed at New-York, 1749. This colony proceeded south, until they reached Carolina, where they made a purchase, and commenced a settlement near to Fayetteville, (which was then called Cross-Creek.)—This colony consisted of five or six hundred persons, of all ages, and both sexes, who settled in the counties of Cumberland, Anson, and Bladen. In 1754, another Highland colony arrived in Carolina; and for several years successively, the Highland Scotch continued to emigrate to Carolina. These hardy, industrious adventurers, were chiefly from Argyleshire. Thus the persecutions of Europe continued to people America, from various parts of the different kingdoms, and thus the religion of the reformation was transplanted into these remote regions of the west, to people this modern Canaan of God.

About this time Gov. Johnston died, and was succeeded by Nathaniel Rice, who in a short time was succeeded by Matthew Rowan, as president of the council.

Under this administration was issued an emission of paper money, to the amount of forty thousand pounds. Thirteen thousand two hundred pounds of this money was appropriated to the valuable purposes of the support of public religious worship, and liberal education; twelve thousand, also, were devoted to the defence of the frontiers of Virginia and Pennsylvania. The first appropriation was divided equally between twenty-four parishes, to the amount of seven thousand two hundred pounds, and the remaining six thousand were appropriated to “endow a public school:” but the last was never applied, and the public school was never endowed.

However frugal and industrious the first colonists of Carolina may have been, however flourishing may have been their farms, and manufactories, it is certain that edu-

cation languished ; they were not only inattentive to the public seminary, provided for by law ; but they neglected their common schools, and thus suffered the rising generations to grow up in ignorance, without the assistance of a public seminary, until the struggles of the revolutionary war had closed ; then in the year 1789, the assembly again made provision for a public literary institution, and founded a college in the centre of the state. During the severities of an eight years war, they had learnt the importance of the patriotic virtues, and the necessity of public instruction, to cultivate, and improve them, they had likewise learnt from experience the superior advantages of those who had enjoyed them, and from this experience, they began seriously to lay the foundation of their own literary advantages, and prosperity.

We have noticed the death of Governor Johnston, in 1752 ; but his successor, Governor Dobbs, who was immediately appointed, has not been noticed, because he did not arrive in the province until the year 1754, when hostilities had commenced in America, between England and France, and the latter had built fort Duquesne, at the forks of the Ohio. This war, in all its operations, and bearings upon the colonies south of the Hudson, as far as Virginia, including the capture of this fort Duquesne, has been carried forward in the history of New-England, down to the peace of Paris, 1763 ; yet as this did not extend to the operations of Carolina, it may not be uninteresting to notice the effects of this war on this province.

By means of this fort, the French acquired great influence over the Indians, not only upon the borders of Pennsylvania, and Virginia ; but also upon Carolina ; and Governor Dobbs sent out Captain Waddil, into the Indian country, to treat with the Catawbas, and Cherokees, 1756 ; Captain Waddil concluded an offensive, and defensive

treaty with the chief of the Cherokees, *Atta Culla-Culla*, and with the Catawba chief, *Oratoswa*, and others ; and it was stipulated that the English should build a fort in the country of each of these tribes, to protect their families, if they went abroad to the war. Governor Dobbs also directed Captain Waddil to erect a fort near the river Yadkin, to protect the frontier, which was garrisoned by fifty men. These forts were found to be useful, for the Cherokees paid but little attention to the peace. North-Carolina voted the sum of eight thousand pound, to prosecute the war, and with this money troops were raised and sent forward, to co-operate in the service, under General Braddoc, in his expedition against fort Duquesne, 1755.

The three years subsequent to this defeat the frontier of Carolina was laid open to the ravages of the enemy ; but the Moravians, as has been observed, secured their settlement by their stockade, which became general, soon after, as a defence upon the frontier.

When the expedition was detached against fort Duquesne, in the year 1758, under General Forbes, Captain, now Major Waddil, was detached with a body of provincials to unite in the enterprise, accompanied with a party of Tuscarora Indians, who became very useful. During this expedition, the Cherokees increased their ravages upon the frontiers of Carolina, and after the French had abandoned the fort Duquesne, and retired down the Ohio, the colonies of North and South Carolina, were at liberty to suppress the ravages of the Cherokees ; they roused to the combat, and Major, now Colonel Waddil, entered their country, at the head of a respectable military force, and the Cherokees sued for peace. This was granted upon such terms as were dictated, and they left twenty-four of their nation, as hostages, at Fort Prince George, for the delivery of the twenty-four Indians who

had murdered the twenty-four white men, on the frontiers of Carolina, since the last treaty.

The hostages were delivered, and lodged in the fort according to treaty, and placed under the care of a small guard; but the Cherokees, instead of delivering the murderers, rose in arms, violated the treaty, and attempted to rescue the hostages, by surprising the fort, January 1760. The plan failed, and they took revenge by murdering seven or eight English traders, then in their country, under the protection of the treaty, and the Indians continued to blockade the fort. Carolina found herself unable to subdue this Indian war, and she received succour from New-York, and Virginia, who co-operated with Colonel Waddil at the head of the Carolina troops, and compelled the Cherokees once more to sue for peace, and peace was again restored, and Colonel Waddil ordered to disband his troops in the fall.

During these operations, a sharp controversy had sprung up in the house of assembly, with their crown governor, as we have seen in the other colonies. When the proprietors sold out to the crown, the representation was five to each county, which were then ten or eleven in number; since that time they had now doubled, and the question between the governor and the house was, how to reduce the representation; in the midst of this controversy a new speculation sprang up, to the great grief of the people.

It appears that the king, in the year 1754, in order to check this numerous representation, had repealed the several laws, by which thirteen of the counties had been formed; together with the Boroughs, Beaufort, Bath, Edenton, Brunswick, and Wilmington, and claimed a royal controul over all the counties. The object of this repeal was, to form the counties anew, with a representation of two, instead of five; and to create such boroughs as might best promote the designs of the crown.

This repeal of the county law involved the question of the right of property, and threw the people into such confusion, as threatened a serious revolt, and called forth a petition from the house of assembly to the governor, that caused him to consent to a law, restoring again the counties, "saving to his majesty, his royal prerogative, the same as though this act had not been passed." Here the speculation commenced, new charters were taken out upon the restoration of the counties, upon which the governor claimed, and took his fees, which was construed into a speculation, that rendered the governor not only unpopular ; but greatly incensed the people.

In addition to all this, the governor had received instructions from the crown, to cause the number of fifteen in the house of assembly, to make a quorum ; but the assembly resented this outrage upon their liberties ; knowing that such a quorum would place every law at the disposal of the governor ; they therefore refused to proceed to business, until a regular quorum had been formed. Some counties, whose charters had been removed by the act of the crown, had refused to comply with the governor's extravagant fees, and were not represented, because they had not renewed their charters ; to whip these up to their duties, the governor issued a proclamation, that writs of election would not be granted to such counties, until they actually renewed their charters. At the May session of 1760, the assembly passed a law, that the judges of the Superior, and Inferior Courts, should no longer be appointed during the pleasure of the governor ; but during their good behaviour, (*quan dieu bene se gesserint.*) This alarmed the governor, because it was directly opposed to his instructions ; but, upon taking the opinion of the chief justice, and attorney-general, who advised to the passing the laws, saving to his majesty the right of repeal ; but the governor re-

fused his assent, and dissolved the assembly, December 1760. The dissolution of the assembly rather tended to increase than to diminish the passions of the people, and they continued to rage, until by their remonstrances to the crown against the proceedings of the governor, they finally obtained his removal, and the appointment of Governor Tryon as his successor, in the year 1764, which brings the history of North-Carolina down to the close of the old French war, so called, and accomplishes the period allotted for the private history of the several colonies in this volume. In our next volume they will be taken up, and carried forward collectively, in a national character.

CHAPTER XXVIII.

GEORGIA.

A SKETCH OF THE RISE AND PROGRESS OF GEORGIA, FROM ITS FIRST SETTLEMENT IN 1732, DOWN TO THE CLOSE OF THE SPANISH AND INDIAN WARS, AND THE COMMENCEMENT OF THE ROYAL GOVERNMENT, 1752.

MORE than one whole century had now elapsed, since the commencement of the settlement of the colonies of Virginia, New-York, and New-England, before the adventurers attempted the settlement of Georgia. In 1732, a company in England petitioned the king, and obtained a charter, for the settlement of that part of Georgia, lying between the rivers Savannah, and Alatamaha, bearing date June 1732. The special design of this charter, was to provide for such indigent people in England, as had become burthensome, and who might become useful to themselves, and the state, by being transported into the wilds of America, and provided for, as settlers, in the province of Georgia. It was further contemplated, that such a colony might co-operate with Carolina, in resisting the encroachments of the Spaniards in Florida. In the month of July, the trustees met, and appointed Lord Percival, their president, and ordered a common seal, &c. This charter guaranteed all the essential rights of the colonists for twenty-one years, and then reserved the right to the crown of appointing their governors, and all other officers of distinction, and importance. In August following, Sir William Heathcote raised a handsome sum, by the way of contribution, amongst the higher orders in England, for the purpose of carrying forward the projected plan, and the Parliament granted the sum of ten thousand pound to encourage the work. By the first of November following, a number of colonists volunteered in the enterprise, to

the amount of one hundred and sixteen; these were generally labourers, such as the nature of the service required, who were furnished with arms for defence, and all the necessary tools for husbandry. This colony embarked for Georgia in the month of December, accompanied by General Oglethorp, one of the trustees, who conducted all their concerns; and on the 18th of January, 1733, they all arrived safe in Carolina. They were kindly received by the Carolinians, and furnished with cattle, hogs, rice, and such other articles as might become useful, in planting their new colony; together with an escort of a party of horse, scout-boats, &c. to conduct them to the country of their destination. Thus provided for, this little colony, with their illustrious chief, arrived safe in Georgia; explored the river Savannah, and on the 9th of February, they planted the colony, and began to erect the first house in the town of Savannah. Colonel Bull, the then governor of Carolina, with the Carolinians generally, volunteered their purses, and their labours, in carrying forward the work. This town, which opened the first habitable dwelling to civilized man in the wilds of Georgia, is situated about ten miles up the Savannah river, upon an elevated ground, on its southern banks. Here they built a small fort, for their protection against the savages, and the settlers were embodied, and organized as a militia corps of defence. They next commenced negotiations with the neighbouring tribes, particularly the Creeks, who were the most numerous, and concluded treaties of safety. The trustees considered Georgia as a frontier province, surrounded by Spaniards, and Indians; they therefore concluded to establish a military colony, by supplying the settlers with arms, as well as tools, that they might protect and defend their fires, and their altars, from the depredations of their enemies. To effect this object, the trustees framed a feudal government, each tract of land granted was considered as a military fife, which subjected the possessor to

military service, whenever his country called for his services ; and the better to support this system, they granted their lands upon a male entailment, and upon a failure of a male heir, the lands were to revert back again to the trustees ; and by them to be regranted at their discretion ; reserving the power and right of providing for the female heirs of such estates in reversion, according to the degrees of improvement made on the lands ; as well as with a due consideration of their neccessities. The widows of all such estates, were to be indulged with the use of the mansion house, and one half of the lands, during life. The better to enforce this system, it was ordained that no man should depart the province without special licence. All lands suffered to lie waste for the term of eighteen years, were to revert back to the trust, and the grant to become null and void. All lands forfeited by high-treasons, felonies, &c. to revert back to the trust, and to be by them disposed of for the benefit of the colony. Negroes, and rum were prohibited the colony. All trade with the Indians was to be conducted under special licences from the trustees.

Such a plan for settling an American colony, might appear to be as wise in England, as the government of Mr. Locke, for North-Carolina; but upon experience, they both proved bad, and involved the colonies in a labyrinth of evils, and the trustees experienced insurmountable difficulties, and the settlers fled the province in quest of lands that were both cheap, and free from entail, as well as plenty and easy to be obtained. The plan of this settlement, was to cultivate wine and silk, and negroes were wisely judged to be unnecessary to accomplish such a plan, as well as dangerous in a frontier settlement, which was armed against the Spaniards. Rum was considered as dangerous, and demoralising in its effects, and consequences, as well as without any permanent good to the settlers. Thus

the Carolinians, who tolerated both the use of negroes, and rum, as well as a free trade with the Indians, and the West-Indies, and who sold them lands cheap, and free from entail, decoyed into their province, many of the settlers of Georgia, and that colony languished, notwithstanding the Parliament of England had given 36,000*l.* to assist the trustees in carrying into effect their benevolent plan. Another evil also attended this first effort to settle Georgia, that had formerly attended the first adventurers to Carolina and Virginia; the poor settlers were selected from amongst the idle, and dissolute, in the large cities in England; and these habits became insurmountable difficulties to be overcome, in bringing forward the settlement, where all was to be accomplished by industry, economy, and perseverance. Sensible of the grand source from whence their embarrassments arose, the trustees next turned their attention to that description of character, in whom these virtues were combined; these they found in Scotland, and Germany. When the trustees published their terms in Scotland, one hundred and thirty Highlanders volunteered, at once, and were transported to Georgia, who built the town of Inverness, upon the river Alatamaha. At the same time a German colony, consisting of about one hundred and seventy, under Mr. James Oglethorpe, embarked for Georgia, and formed a German settlement; all which gave the trustees high hopes, that they should succeed in their plan, and settle their province. They had now gained about six hundred settlers in the whole; but their hopes were premature, and all proved abortive; the idleness, as well as licentiousness of the first settlers, continued, and their emigrations increased; these, added to the wars with the Spaniards and Indians, blasted all their hopes, and involved the province in a state of distress, and wretchedness, too great to be described. When the trustees became acquainted with these scenes of distress, and

found themselves unable to point out a remedy, they abandoned the trust, and resigned up their charter to the king, and Georgia became a royal government in 1752, just twenty years after the first attempt made by the trustees to settle the country.

The king established a regular colonial government in Georgia, upon the plan of the other royal governments, and appointed John Reynolds, a naval officer, as governor of the province. At this time, the settlements had progressed so slow, and the cultivation and improvements were so partial, that the whole exports of Georgia did not exceed ten thousand pounds sterling. When the colony enjoyed the privileges of the royal government, such had become their depressed and languishing state, that their improvements progressed very slow, for several years, until a spirit of industry, and enterprise sprang up that rewarded liberally the labours of the planters, and disclosed the true value of their excellent soil, and country.

In the history of New-England, the efforts of the Reverend Mr. Whitfield, to build up an orphan school in Georgia, by such gratuitous contributions as he was enabled to raise, in his itinerant labours, through the whole extent of the colonies; as well as in England, were noticed. This institution flourished, and in 1768, Mr. Whitfield made application to the crown for a charter, to incorporate it into a college; but this failed, and Mr. Whitfield, then assigned over his orphan-house, to the Countess of Huntingdon, and the next year he fell sick at Newbury Port, where he died, 1770.

The subsequent history of Georgia, will be incorporated with that of the other colonies, and assume a national character.

CHAPTER XXIX.

VIRGINIA CONTINUED.—NATURAL PRODUCTIONS OF VIRGINIA, WHICH APPLY VERY GENERALLY TO ALL THE COLONIES SOUTH OF THE NORTH, OR HUDSON'S RIVER—FROM JEFFERSON'S NOTES ON VIRGINIA.

“ I KNEW a single instance of gold, found in this state. It was interspersed with small specks through a lump of ore, of about four pounds weight, which yielded seventeen pennyweight of gold, of extraordinary ductility. This ore was found on the north side of the Rappahannoc, about four miles below the falls. I never heard of any other indications of gold, in its neighbourhood.

“ On the great Kanhaway, opposite to the mouth of Cripple Creek, and about twenty-five miles from our southern boundary, in the county of Montgomery, are mines of lead. The metal is mixed, sometimes with earth, and sometimes with rock, which requires the force of gunpowder to open it; and is accompanied with a portion of silver, too small to be worth separation, under any process hitherto attempted there. The proportion yielded, is from fifty to eighty pounds of pure metal from one hundred pounds of washed ore. The most common is that of 50 to the 100lb. The veins are at sometimes most flattering; at others, they disappear suddenly, and totally. They enter the side of the hill, and proceed horizontally. Two of them are wrought at present by the public, the best of which is 100 yards under the hill. These would employ about 50 labourers to advantage. We have not, however, more than 30 generally, and these cultivate their own corn. They have produced 60 tons of lead in the year; but the general quantity is from 20 to 25 tons. The present furnace is a mile from the ore bank, and on the opposite side of the river. The ore is first waggoned to the river, a

quarter of a mile, then laden on board of canoes, and carried across the river, which is there about two hundred yards wide, and then again taken into waggons and carried to the furnace. This mode was originally adopted, that they might avail themselves of a good situation on a creek, for a pounding mill : but it would be easy to have the furnace and pounding mill on the same side of the river, which would yield water, without any dam, by a canal of about half a mile in length. From the furnace, the lead is transported 130 miles, along a good road, leading through the peaks of Otter to Lynch's ferry, or Winston's, on James' River, from whence it is carried by water about the same distance to Westham. This land carriage may be greatly shortened, by delivering the lead on James' River, above the Blue Ridge, from whence a ton weight has been brought on two canoes. The great Kanhaway has considerable falls in the neighbourhood of the mines. About seven miles below, are three falls of three or four feet perpendicular each ; and three miles above is a rapid of three miles continuance, which has been compared, in its descent, to the great falls of James' River. Yet it is the opinion, that they may be laid open for useful navigation, so as to reduce very much the portage between the Kanhaway, and James' River.

“ A valuable lead mine is said to have been lately discovered in Cumberland, below the mouth of Red River. The greatest, however, known in the western country, are on the Mississippi, extending from the mouth of Rock River 150 miles upwards. These are not wrought, the lead used in that country being from the banks, on the Spanish side of the Mississippi, opposite to Kaskaskia.

“ A mine of copper was once opened in the county of Amherst, on the north side of James' River, and another in the opposite country, on the south side. However, either from bad management, or the poverty of the veins,

they were discontinued. We are told of a rich mine of native copper, on the Ouabache, below the upper Wiaw.

“The mines of iron worked at present are Callaway’s, Ross’s, and Ballendine’s, on the south side of James’ River; Old’s on the north side, in Albemarle; Miller’s in Augusta, and Zane’s, in Frederic. These two last are in the valley between the Blue Ridge, and North Mountain. Callaway’s, Ross’s, Miller’s, and Zane’s, make about 150 tons of bar iron each, in the year. Ross’s makes also about 1600 tons of pig iron annually; Balendine’s 1000; Callaway’s, Miller’s, and Zane’s, about 600 each. Besides these, a forge of Mr. Hunter’s, at Fredericksburg, makes about 300 tons a year of bar iron, from pigs imported from Maryland; and Taylor’s forge on Neapsco of Potowmac, works in the same way, but to what extent I am not informed. The indications of iron in other places are numerous, and dispersed through all the middle country. The toughness of the cast iron of Ross’s and Zane’s furnaces, is very remarkable. Pots and other utensils, cast thinner than usual, of this iron, may be safely thrown into, or out of the waggons in which they are transported. Saltpans made of the same, and no longer wanted for that purpose, cannot be broken up, in order to be melted again, unless previously drilled in many parts.

“Iron is said to prevail, generally, throughout the western country.

“Considerable quantities of black lead are taken occasionally for use from Winterham, in the county of Amelia. I am not able, however, to give a particular state of the mine. There is no work established at it; those who want, going and procuring it for themselves.

“The country on James’ River, from 15 to 20 miles above Richmond, and for several miles northward, and southward, is replete with mineral coal, of a very excellent quality. Being in the hands of many proprietors, pits have

been opened, and, before the interruption of our commerce, were worked to an extent equal to the demand.

“ In the western country, coal is known to be in so many places, as to have induced an opinion, that the whole tract between the Laurel Mountain, Mississippi, and Ohio, yields coal. It is also known in many places on the north side of the Ohio. The coal at Pittsburg is of very superior quality. A bed of it at that place has been a fire since the year 1765. Another coal-hill on the Pike-Run of Monongahela has been a fire ten years ; yet it has burnt away about twenty yards only.

“ I have known one instance of an emerald found in this country. Amethysts have been frequent, and crystals common ; yet not in such numbers any of them as to be worth seeking.

“ There is very good marble, and in very great abundance, on James' River, at the mouth of Rockfish. The samples I have seen, were some of them of a white, as pure as one might expect to find on the surface of the earth : but most of them were variegated with red, blue, and purple. None of it has ever been worked. It forms a very large precipice, which hangs over a navigable part of the river. It is said there is marble at Kentucky.

“ But one vein of lime-stone is known below the Blue Ridge. Its first appearance, in our country, is in Prince William, two miles below the Pignut Ridge of mountains ; thence it passes on nearly parallel with that, and crosses the Rivanna, about five miles below it, where it is called the South-west-ridge. It then crosses Hard-ware, above the mouth of Hudson's Creek, James' River, at the mouth of Rockfish, at the marble quarry before spoken of, probably runs up that river to where it appears again at Ross's iron-works, and so passes off south-west-wardly by Flat Creek of Otter River. It is never more than one hundred yards wide. From the Blue Ridge westwardly, the whole country seems to be founded on a rock of limestone, be-

sides infinite quantities on the surface, both loose and fixed. This is cut into beds, which range, as the mountains and sea-coast do, from south-west to north-east, the lamina of each bed declining from the horizon towards a parallelism with the axis of the earth. Being struck with this observation, I made, with a quadrant, a great number of trials on the angles of their declination, and found them to vary from 22 to 60 degrees ; but averaging all my trials, the result was within one-third of a degree of the elevation of the pole or latitude of the place, and much the greatest part of them taken separately, were little different from that : by which it appears, that these lamina are in the main, parallel with the axis of the earth. In some instances, indeed, I found them perpendicular, and even reclining the other way : but these were extremely rare, and always attended with signs of convulsion, or other circumstances of singularity, which admitted a possibility of removal from their original position. These trials were made between Madison's cave and the Patowmac. We hear of limestone on the Mississippi and Ohio, and in all the mountainous country between the eastern and western waters, not on the mountains themselves, but occupying the vallies between them.

“Near the eastern foot of the north mountain, are immense bodies of *Schist*, containing impressions of shells, in a variety of forms. I have received petrified shells, of very different kinds, from the first sources of the Kentucky, which bear no resemblance to any I have ever seen on the tide waters. It is said that shells are found on the Andes, in South America, fifteen thousand feet above the level of the ocean ; this is considered by many, both of the learned and unlearned, as a proof of a universal deluge. To the many considerations opposing this opinion, the following may be added. The atmosphere, and all its contents, gravitate to the earth ; that is to say, they have weight. Experience tells us that the weight of all these

together, never exceeds that of a column of mercury thirty-one inches high, which is equal to one of rain water of thirty-five feet high ; if the whole contents of the atmosphere, then, were water, instead of what they be, it would cover the earth but thirty-five feet deep ; but as these waters, as they fell, would run into the seas, the superficial measure of which is to the dry parts of the earth, as two to one, the seas would be raised only fifty-two and a half feet, above their present level, and of course would overflow the lands to that height only. In Virginia, this would be a very small proportion, even of the champaign country ; the banks of our tide waters being generally of a greater height. Deluges beyond this extent then, as for instance to the north mountain or to Kentucky, seem out of the laws of nature. But within it they may have taken place to a greater or less degree, in proportion to the combination of natural causes which may be supposed to have produced them. History renders probable some instances of a partial deluge in the country lying round the Mediterranean sea. It has been often supposed, and is not unlikely that that sea was once a lake. While such, let us admit an extraordinary collection of the waters of the atmosphere from the other parts of the globe to have been discharged over that and the countries whose waters run into it. Or without supposing it a lake, admit such an extraordinary collection of the waters of the atmosphere, and an influx of waters from the Atlantic ocean, forced by long continued western winds. The lake, or that sea, may thus have been so raised as to overflow the low lands adjacent to it, as those of Egypt and Armenia,* which according to a tradition of the Egyptians and

* The trade winds here blow always towards, not from the west, and accumulate the waters in the Gulf of Mexico, on the opposite side. Egypt actually lies upon the Mediterranean sea ; but Armenia, hundreds of miles to the north-east, among the mountains that produce the great river Euphrates ; and between the Black Sea and Caspian Sea, in Asia.

Hebrews, were overflowed about 2300 years before the Christian æra ; those of Attica, said to have been overflowed in the time of Ogyges, about five hundred years later ; and those of Thessaly, in the time of Deucalion, still three hundred years posterior. But such deluges as these will not account for the shells found in the higher lands. A second opinion has been entertained, which is, that, in times anterior to the records, either of history or tradition, the bed of the ocean, the principal residence of the shelled tribe, has by some great convulsion of nature, been heaved to the heights at which we now find shells, and other remains of marine animals. The favourers of this opinion do well to suppose the great events on which it rests to have taken place beyond all the æras of history ; for within these, certainly no such are to be found ; and we may venture to say further, that no fact has taken place in our days, or in the thousands of years recorded in history, which proves the existence of any natural agents, within or without the bowels of the earth, sufficient to heave to the height of 15,000 feet, such masses of the Andes.* The difference between the power necessary to produce such an effect, and that which shuffled together the different parts of Calabria in our days, is so immense, that from the existence of the latter, we are not to infer that of the former."

This illustrious author next enlists Mr. De Voltair to support him in his arduous attempt to shake the faith of

* We grant this, that all antideluvian history, if ever there was any beyond savage tradition, was lost at the deluge, and that the deluge was not the effect of a natural cause ; but by the special agency of the Supreme God, and for that special purpose, to destroy every vestige of life upon the face of the whole earth, except what Noah carried with him into the Ark. In what manner God effected this ever memorable event, is not essential to us to know, neither are these marine shells on the vast cliffs of the Andes, and elsewhere, of any consequence to us, any further than to excite the speculative enquiries of the curious ; and even this should always be so carefully guarded as not to confound speculation with matters of fact, either to the confusion of our own understandings, or the prejudice of the understandings of others.

the world in the doctrine of *a universal deluge* ; but as he promptly denies even the plausibility of the argument of that champion of infidelity, I have omitted his frivolous hypothesis : neither can I see one particle of solid reasoning in all this laboured strain of *infidelity*, that deserves any notice further than the following anecdote.*

“ There is great abundance (more especially when you approach the mountains,) of stone, white, blue, brown, &c. fit for the chissel, good mill stone, such also as stand the fire, and slate stone. We are told of flint, fit for gun flints, on the Meherron in Brunswick, on the Mississippi, between the mouth of Ohio and Kaskaskias, and on others of the western waters. Isinglass, or mica, is in several places ; loadstone also, and an asbestos, of a ligneous texture, is sometimes to be met with. Marble abounds generally. A clay, of which (like the Sturbridge in England) bricks are made, that will resist long the violent action of fire, has been found on Tuckehoc creek, of James River, and no doubt will be found in other places. Chalk is said to be at Botetourt and Bedford. In the latter county is some earth believed to be gypseous. Ochres are found in various parts.

“ In the limestone country are many caves, the earthy floors of which are impregnated with nitre. On Rich Creek, a branch of the Great Kanaway, about sixty miles below the lead mines, is a very large one, about twenty yards wide, and entering a hill a quarter of a mile. The vault is of rock, from 9 to 15 or 20 feet above the floor. A Mr. Lynch, who gives me this account, undertook to extract nitre. Besides a coat of the salt which had formed

* I recollect several years ago, to have entered the study of an aged clergyman, who was then very deliberately employed in burning up his old sermons ; seeing my surprise at the use he was making of his former labours, he remarked, with a smile, *I am trying to destroy some of the follies of my youth.*

upon the vault floor, he found the earth highly impregnated to the depth of seven feet in some places, and generally of three, every bushel yielding on an average three pounds of nitre. Mr. Lynch having made about 1000 pounds of the salt from it, consigned it to some others, who have since made 10,000 pounds. They have done this by pursuing the cave into the hill, never trying a second time the earth they have once exhausted, to see how far or soon it receives another impregnation. At least fifty of these caves are worked on the Greenbriar. There are many of them known on Cumberland River.

The country westward of the Alleghaney abounds with springs of common salt. The most remarkable we have heard of, are at Bullet's lick, the Big bones, the Blue licks, and on the north fork of Holsten. The area of Bullet's lick, is of many acres. Digging the earth to the depth of three feet, the water begins to boil up, and the deeper you go, and the drier the weather, the stronger the brine. A thousand gallons of water, yield from a bushel to a bushel and a half of salt, which is about 80 pound of water to 1 pound of salt; but of sea-water 25 pound yield one pound of salt. So that sea-water is more than three times as strong as that of these springs. A salt spring has been lately discovered at the Turkey foot, on Yohoganey, by which river it is overflowed, except at very low water. Its merit is not yet known. Dunning's lick is also as yet untried, but it is supposed to be the best on this side the Ohio. The salt springs, on the margin of the Onondago lake, are said to give a saline taste to the waters of the lake.

There are several medicinal springs, some of which are indubitably efficacious, while others seem to owe their reputation as much to fancy and change of air, and regimen, as their real virtues. None of them having undergone a chemical analysis, in skilful hands, nor been so far the

subject of observations as to have produced a reduction into classes of the disorders which they relieve ; it is in my power to give little more than an enumeration of them.

“ The most efficacious of these are two springs in Augusta, near the first sources of James’ river, where it is called Jackson’s river. They rise near the foot of the ridge of mountains, generally called the Warm spring mountains, but in the maps, Jackson’s mountains. The one is distinguished by the name of the Warm Spring, and the other of the Hot Spring. The warm spring issues with a very bold stream, sufficient to work a grist mill, and to keep the waters of its bason, which is 30 feet in diameter, at the vital warmth, viz. 96 deg. Farenheit’s thermometer. The matter with which these waters are allied is very volatile ; its smell indicates it to be sulphureous, as also does the circumstance of its turning silver black. They relieve rheumatisms. Other complaints also of very different natures have been removed, or lessened by them. It rains here four or five days in every week.

“ The hot spring is about six miles from the warm spring, is much smaller, and has been so hot as to boil an egg. Some believe its degree of heat to be lessened. It raises the mercury in Farenheit’s thermometer to 112 deg. which is fever heat. It sometimes relieves when the warm spring fails. A fountain of common water issuing within a few inches of its margin, gives it a singular appearance. Comparing the temperature of these with the hot springs in Kamschatka, of which Krachinninikow gives an account, the difference is very great, the latter raising the mercury to 200 deg. which is within 12 deg. of boiling water. These springs are very much resorted to, in spite of a total want of accommodation for the sick. Their waters are strongest in the hottest months, which occasions their being visited in July and August, principally.

“The sweet springs are in the county of Botetourt, at the eastern foot of the Alleghany, about 42 miles from the warm springs. They are still less known. Having been found to relieve cases in which the others had been ineffectually tried, it is probable their composition is different. They are different also in their temperature, being as cold as common water; which is not mentioned as a proof, however, of a distinct impregnation. This is among the first sources of James’ river.

“On Patowmac river, in Berkley county, above the north mountain, are medicinal springs, much more frequented than those of Augusta. Their powers, however, are less; the waters weakly mineralized, and scarcely warm. They are more visited, because situated in a fertile, plentiful, populous country, better provided with accommodations, always safe from the Indians, and nearest to the more populous states.

“In Louisa county, &c. are medicinal springs of less note, which are not deserving of particular notice.

“We are told of a sulphur spring on Howard’s Creek of Greenbriar, and another at Boonsborough on Kentucky.

“In the low grounds of the Great Kanaway seven miles above the mouth of Elk River, and 67 above that of Kanaway itself, is a hole in the earth of the capacity of 30, or 40 gallons, from which issues constantly a bituminous vapour, in so strong a current, as to give to the sand about its orifice, the motion which it has in a boiling spring. On presenting a torch, or lighted candle within 18 inches of the hole, it flames up into a column 18 inches diameter, and four or five feet in high, which sometimes burns out in 20 minutes, and at others has been known to burn three days, and then has been still left burning. The flame is unsteady, of the density of that of burning spirits, and smells like burning pit coal. Water sometimes collects in the bason, which is remarkably cold, and is kept in

ebullition by the vapour issuing through it. If the vapour be fired in that state, the water becomes so hot that the hand cannot bear it, and evaporates wholly in a short time. This, with the circumjacent lands, is the property of his excellency General Washington, and General Lewis.

“There is a similar one on Sandy River, the column of which, when in flame, is about 12 inches, and about three feet high. General Clarke, who informs me of it, kindled the vapour and left it burning, after staying about an hour.

“The mention of extraordinary springs, leads me to Syphon fountains. There is one of these near the intersection of the Lord Fairfax’s boundary, with the North mountain, not far from Brooks’ gap, on the stream of which is a grist mill, which grinds two bushels of grain at every flood of the spring: another near Cow-paster River, a mile and a half below its confluence with the Bull-paster River, and 16 or 17 miles from the hot springs, which intermits once in every twelve hours; one also near the mouth of the North Holston.

“After these, may be mentioned the natural well, on the lands of a Mr. Lewis in Frederick county. It is somewhat larger than a common well: the water rises in it as near the surface of the earth as in the neighbouring artificial wells, and is of a depth as yet unknown. It is said there is a current in it tending sensibly downwards. If this be true, it probably feeds some fountain, of which it is the natural reservoir, distinguished from others, like that of Madison’s cave, by being accessible. It is used with a bucket and windlass, as an ordinary well.

CHAPTER XXX.

A GENERAL SKETCH OF THE TREES, PLANTS, FRUITS, &c. OF VIRGINIA.

UNDER this head of natural productions, may be found the following classes, viz. 1st. Medicinal—2d. Esculent—3d. Ornamental, and 4th Useful for fabrication—The technical or Linnæan names, will be added.

1. Senna. *Cassia ligustrina*.

Arsmart. *Polygonum Sagitatum*.

Clivers, or goose-grass. *Galium spurium*

Lobelia of several species.

Palma Christi. *Ricinus*.

(3.) James-town weed. *Datura Stramonium*.

Mallow. *Malva rotundifolia*.

Syrian mallow. *Hibiscus moschentos*.

Hibiscus Virginicus.

Indian mallow. *Sida rhombifolia*.

Sida abutilon.

Virginia marshmallow. *Napæa hermaphrodita*.

Napæa dioica.

Indian physic. *Spiria trifoliata*.

Euphorbia Ipecacuanhæ.

Pleurisy root. *Asclepias decumbens*.

Virginia snake root. *Aristolochia serpentaria*.

Black snake root. *Actæ racemosa*.

Seneca rattle snake root. *Polygala Senega*.

Valerian. *Valeriana locusta radiata*.

Gentiana, Saponaria, Villosa & Centaurium.

Ginseng. *Panax quinquefolium*.

Angelica. *Angelica sylvestris*.

Cassava. *Jatropha urens*.

2 Tuckahoe. *Lycoperdon tuber*.

Jerusalem artichoke. *Helianthus tuberosus*.

Long potatoe. *Convolvulus batatas*.

Granadillas. Maycocks. Maracocks. *Passiflora incarnata*.

Panic. *Panicum* of many species.

Indian millet. *Holcus laxus*.

Indian millet. *Holcus striosus*.

Wild oat. *Zizania aquatica*.

Wild pea. *Dolichos* of Clayton.

Lupine. *Lupinus perennis*.

Wild hop. *Humulus lupulus*.

Wild cherry. *Prunus Virginiana*.

Cherokee plumb. *Prunus sylvestris fructu majori*.—
Clayton.

Wild plumb. *Prunus sylvestris fructu minori*. Clayton.

Wild crab-apple. *Pyrus coronaria*.

Red mulberry. *Morus rubra*.

Persimmon. *Diospiros Virginiana*.

Sugar maple. *Acer saccharinum*.

Scaly bark hiccory. *Juglans alba cortice squamoso*.
Clayton.

Common hiccory. *Juglans alba, fructu minore rancido*.
Clayton.

Paccan, or Illinois nut. Not described by Linnæus, Millar, or Clayton. Were I to venture to describe this, speaking of the fruit from memory, and of the leaf from plants of two years growth, I should specify it as the *Juglans alba, foliolis lanceolatis, acuminatis, serratis, tomentosis, fructu minore, ovato, compresso, vix insculpto, dulci, putamine tenerrimo*. It grows on the Illinois, Wabash, Ohio, and Mississippi. It is spoken of by Don Ulloa, under the name of Pacanos, in his *Noticias Americanas*. Entret. 6.

Black walnut. *Juglans nigra*.

White walnut. *Juglans alba*.

- Chesnut. *Fagus castanea*.
 Chinquapin. *Fagus pumila*.
 Hazlenut. *Corylus avellana*.
 Grapes. *Vitis*. Various kinds, though only three described by Clayton.
 Scarlet strawberries. *Fragaria Virginiana* of Millar.
 Whortleberries. *Vaccinium uliginosum*.
 Wild gooseberries. *Ribes grossularia*.
 Cranberries. *Vaccinium oxycocos*.
 Black raspberries. *Rubus occidentalis*.
 Blackberries. *Rubus fruticosus*.
 Dewberries. *Rubus cæsius*.
 Cloudberry. *Rubus Chamæmorus*.
 3. Plane tree. *Platanus occidentalis*.
 Poplar. *Liriodendron tulipifera*.
 Populus heterophylla.
 Black poplar. *Populus nigra*.
 Aspen. *Populus tremula*.
 Linden, or lime. *Tilia Americana*.
 Red flowering maple. *Acer rubrum*.
 Horse-Chesnut, or buck's-eye. *Æsculus pavia*.
 Catalpa. *Bignonia catalpa*.
 Umbrella. *Magnolia tripetala*.
 Swamp laurel. *Magnolia glauca*.
 Cucumber-tree. *Magnolia acuminata*.
 Portugal bay. *Laurus indica*.
 Red bay. *Laurus borbonia*.
 Dwarf-rose bay. *Rhododendron maximum*.
 Laurel of the western country. *Quercus* species?
 Wild pimento. *Laurus benzoin*.
 Sassafras. *Laurus sassafras*.
 Locust. *Robinia pseudo-acacia*.
 Honey-locust. *Gleditsia* 1. ζ
 Dogwood. *Cornus florida*.
 Fringe, or snow-drop tree. *Chionanthus Virginica*.

Barberry. *Barberis vulgaris*.

Redbud, or Judas-tree. *Cercis Canadensis*.

Holly. *Elex aquifolium*.

Cockspur hawthorn. *Cratægus coccinea*.

Spindle-tree. *Euonymus Europæus*.

Evergreen spindle-tree. *Euonymus Americanus*.

Itea Virginica.

Elder. *Sambucus nigra*.

Papaw. *Annona triloba*.

Candleberry myrtle. *Myrica cerifera*.

Dwarf laurel. *Kalmia an-*
gustifolia

latifolia

Kalmia

} called ivy with us.

Ivy. *Hedera quinquefolia*.

Trumpet honeysuckle. *Lonicera sempervirens*.

Upright honeysuckle. *Azalea nudiflora*.

Yellow jasmine. *Bignonia sempervirens*.

Calycanthus floridus.

American aloe. *Agave Virginica*.

Sumach. *Rhus*. *Qu.* species?

Poke. *Phytolacca decandra*.

Long moss. *Tillandsia Usneoides*.

4. Reed. *Arundo phragmitis*.

Virginia hemp. *Acnida cannabina*.

Flax. *Linum Virginianum*.

Black, or pitch pine. *Pinus tæda*.

White pine. *Pinus stobus*.

Yellow pine. *Pinus Virginica*.

Spruce pine. *Pinus foliis singularibus*.

Hemlock, spruce fir. *Pinus canadensis*.

Arbor vita. *Thuga occedentalis*.

Juniper. *Juniperus Virginica*. (cedar)

Cypress. *Cupressus disticha*.

White cedar. *Cupressus Thyoides*.

Black oak. *Quercus nigra*.

White oak. *Quercus alba*.

Red oak. *Quercus rubra*.

Willow oak. *Quercus phellos*.

Chesnut oak. *Quercus prinus*.

Black jack oak. *Quercus aquatica*.

Ground oak. *Quercus pumila*.

Live oak. *Quercus Virginica*.

Black birch. *Betula nigra*.

White birch. *Betula alba*.

Beach. *Fagus sylvatica*.

Ash. *Fraxinus Americana*.

Fraxinus Novæ Angliæ

Elm. *Ulmus Americana*

Willow. *Salix*. Qu. Species?

Sweet gum. *Liquidambar styraciflua*.

“The following were found in Virginia when the English first came there ; but it is not to be said whether of spontaneous growth, or by cultivation only ; most probably they were natives of more southern climates, and handed along the continent by the natives, from one nation to another.

Tobacco. *Nicotiana*.

Maize. *Zea mays*.

Round potatoes. *Solanum tuberosum*.

Pumpkins. *Cucurbita pepo*.

Cymlings. *Cucurbita verrucosa*.

Squashes. *Cucurbita melopepo*.

“ There is an infinitude of other plants and flowers, for an enumeration and scientific description of which, I must refer to the *Flora Virginica* of our great botanist Dr. Clayton, published by Gronovius at Leyden, in 1762. This accurate observer was a native and resident of this state, passed a long life in exploring and describing its plants, and is supposed to have enlarged the botanical catalogue, as much as almost any man who has lived.

“ Besides these plants, which are native, our farms produce wheat, rye, barley, oats, buckwheat, broom-corn, and Indian corn. The climate suits rice well enough, wherever the lands do. Tobacco, hemp, flax, and cotton, are staple commodities. Indigo yields two cuttings. The silkworm is a native, and the mulberry proper for its food, grows kindly. We cultivate also the potatoe, both long and round, turnips, carrots, parsnips, pumpkins, and ground-nuts, (*Arachis*.) Our grasses are Lucerne, St. Foin, Burnet, Timothy, ray, and orchard grass; red, white, and yellow clover; greensward, blue grass and crab grass.

“ The gardens yield musk-mellons, water-mellons, tomatas, okra, pomegranates, figs, and the esculent plants of Europe.

“ The orchards produce apples, pears, quinces, cherries, peaches, nectarines, apricots, almonds, and plumbs.

“ Our quadrupeds have been mostly described by Linnæus, and Buffon. Of these the mammoth, or big buffalo, as called by the Indians, must certainly have been the largest. Their tradition is, that he was carnivorous, and still exists in the northern parts of America. A delegation of warriors from the Delaware tribe, having visited the governor of Virginia, during the revolution, on matters of business; after these had been discussed and settled in council, the governor asked him some questions relative to their country, and among others, what they knew or had heard, of the animal whose bones were found at the Saltlicks on the Ohio. Their chief speaker immediately put himself into an attitude of oratory, and with a pomp suited to what he conceived the elevation of his subject, informed him, “ that it was a tradition handed down from their fathers, that in ancient times a herd of these tremendous animals came to the Bigbone licks, and began an universal destruction of the other animals, particularly, the bears, deers, elks, buffaloes, &c. which had been created for the

use of the Indians; and that the great man above, looking down, and seeing this, was so enraged that he seized his lightning, descended on the earth, seated himself on a neighbouring mountain, on a rock of which his seat and the print of his feet are still to be seen, and hurled his bolts among them, until the whole were slaughtered, except the big bull, who presenting his forehead to the shafts, shook them off as they fell; but missing one at length, it wounded him in the side, whereupon springing round, he bounded over the Ohio, over the Wabash, the Illinois, and finally over the great lakes, where he is living at this day." It is well known, that on the Ohio, and in many parts of America further north, tusks, grinders, and skeletons of unparalleled magnitude, are found in great numbers, some lying on the surface of the earth, and some a little below it. A Mr. Stanley, taken prisoner by the Indians near the mouth of the Tanissee, relates, that after being transferred through several tribes, from one to another, he was at length carried over the mountains, west of the Missouri, to a river which runs westwardly: that these bones abounded there, and that the natives described to him the animal to which they belonged, as still existing in the northern parts of their country: from which description he judged it to be an elephant. Bones of the same kind have been lately found several feet below the surface of the earth, in salines opened on the north of Holston, a branch of the Tanissee, about the latitude of 36 1-2 deg. north. From the account published in Europe, I suppose it to be decided, that they are of the same kind with those found in Siberia. Instances are mentioned of like animal remains, found in the more southern climates of both hemispheres; but they are so loosely mentioned as to leave a doubt of the fact; so inaccurately described as not to authorize the classing them with the great northern bones, or so rare as to found a suspicion that they have been carried thither as curiosi-

ties from more northern regions. So that on the whole, there seem to be no certain vestiges of the existence of this animal, further south than the salines last mentioned. It is remarkable that the tusks and skeletons have been ascribed by the naturalists of Europe to the elephant, while the grinders have been given to the hippopotamus, or river horse. Yet it is acknowledged, that the tusks and skeletons are much larger than those of the elephant, and the grinders many times greater than those of the hippopotamus, and essentially different in form. Wherever these grinders are found, there also we find the tusk and skeleton; but no skeleton of the hippopotamus nor grinders of the elephant. It will not be said that the hippopotamus and elephant came always to the same spot, the former to deposit his grinders, and the latter his tusks and skeleton. For what became of the parts not deposited there? We must agree then that these remains belong to each other, that they are of one and the same animal, that this was not a hippopotamus, because the hippopotamus had no tusks, nor such a frame, and because the grinders differ in their size as well as in the number and form of their points. That it was not an elephant, I think ascertained by proofs equally decisive. I will not avail myself of the authority of the celebrated anatomist, (Hunter,) who, from an examination of the form and structure of the tusks, has declared they were essentially different from those of the elephant; because another anatomist, (D'Aubenton,) equally celebrated, has declared, on a like examination, that they are precisely the same. Between two such authorities I will suppose this circumstance equivocal. But, 1. The skeleton of the mammoth (for so the incognitum has been called) bespeaks an animal of five or six times the cubit volume of the elephant, as Mons. de Buffon has admitted. 2. The grinders are five times as large, are square, and the grinding surface studded with four or five rows of blunt

points, whereas those of the elephant are broad and thin, and the grinding surface flat. 3. I have never heard an instance, (and suppose there has been none) of the grinder of an elephant being found in America. 4. From the known temperature of the elephant, he could never have existed in those regions where the remains of the mammoth have been found. The elephant is a native of the torrid zone and its vicinities. If, with the assistance of warm apartments, and warm clothing, he has been preserved in life in the temperate climates of Europe, it has only been for a small portion of what would have been his natural period, and no instance of his multiplication in them has ever been known. But no bones of the mammoth, as I have before observed, have ever been found further south than the salines of the Holston; and they have been found as far north as the arctic circle. Those, therefore, who are of opinion that the elephant and mammoth are the same, must believe, 1. That the elephant known to us can exist and multiply in the frozen zone, or 2. That an internal fire may have warmed those regions, and since abandoned them, of which, however, the globe exhibits no unequivocal evidence, &c.

“For my own part, I find it easier to believe that an animal may have existed, resembling the elephant in his tusks and general anatomy, while his nature was in other respects extremely different. From the 30th degree of south latitude, to the 30th degree of north, are nearly the limits which nature has fixed for the existence and multiplication of the elephant known to us. Proceeding thence northerly to the 36th degree north, we enter those assigned to the mammoth. The further we advance northward, the more their vestiges multiply, as far as the earth has been explored in that direction; and it is as probable as otherwise, that this progression continues to the pole itself, if land extends so far. The centre of the frozen zone

may be the acme of their vigour, as that of the torrid is of the elephant. Thus nature seems to have drawn a belt of separation between these two tremendous animals, whose breadth is not precisely known, though at present we may suppose it about six and a half degrees of latitude ; to have assigned to the elephant the regions south of these confines, and to the mammoth those north, founding the constitution of the one in the extreme of heat, and that of the other in the extreme of cold. When the Creator has therefore separated their natures, as far as the extent of the scale of animal life, allowed to this planet, would permit, it seems perverse to declare it the same, from a partial resemblance of their tusks and bones. But to whatever animal we ascribe these remains, it is certain that such an one has existed in America, and that it has been the largest of all terrestrial beings. It should have sufficed to have rescued the earth it inhabited, and the atmosphere it breathed, from the imputation of impotence in the conception and nourishment of animal life on a large scale ; to have stifled in its birth the opinion of a writer, the most learned, too, of all others in the science of animal history,* that in the new world, nature is less active, less energetic than in Europe, as if both sides of the globe were not warmed by the same genial sun ; as if a soil of the same chemical composition, was less capable of elaboration into animal nutriment ; as if the fruits and grains from that sun yielded a less rich chyle, gave less extension to the solids and fluids of the body ; or produced sooner in the cartilages, membranes, and fibres, that rigidity, which restrains all further extension, and terminates animal growth. The truth is, that a pigmy and a Patagonian, mouse and mammoth, derive their dimensions from the same nutritive juices. The difference of increment depends on circumstances, unsearchable to beings of our capacities. Every

race of animals seems to have received from their Maker, certain laws of extension, at the time of their formation. Their elaborative organs were formed to produce this, while proper obstacles were opposed to its further progress. Below these limits they cannot fall, nor rise above them. Whatever intermediate station they may take, may depend on climate, on soil, on food, on a careful choice of breeders; but all the manna of heaven would never raise the mouse to the bulk of a mammoth."

I here pass over the critical remarks of our illustrious author, upon the assertion of Mr. Buffon, that "1. The animals common both to the old and new world, are smaller in the latter. 2. That those peculiar to the new, are on a smaller scale. 3. That those which have been domesticated in both, have degenerated in America: and 4. That on the whole, it exhibits fewer species. And the reason he thinks is, that the heats are less in America; that more waters are spread over its surface by nature, and fewer of these drained off by the hand of man. In other words, that *heat* is friendly, and *moisture* adverse to the production and development of large quadrupeds."

I will not pursue Mr. Jefferson's elaborate reasoning upon this subject, however ingenious and learned, after what has been exhibited upon the mammoth; but will leave this error of Mr. Buffon upon the only ground on which I think it can rest. Mr. Buffon was a Frenchman, and although one of the most learned of his nation, as well as one of the greatest naturalists in the world, yet in these remarks he has shewn that his knowledge of the animal productions of America, did not extend beyond the confines of the cold regions of the French province of Canada, where it is very probable some Jesuit may have told him that these assertions were matters of fact; but which even here Mr. Jefferson has refuted, not only in the instance of

the mammoth, but by a fair conclusion drawn from tabular deductions, wherein the animals of both continents are weighed and classed in order. The result is fairly in favor of America. I repeat, that the Count de Buffon was most probably led into this error by some French Jesuit, because the Abbe Reynal has extended the same assertion to the race of white men in America, by which the Count de Buffon has characterised the red men of America.—“America, [says the Abbe,] has not produced one good poet.” To which our author thus replies: “When we shall have existed as a people, as long as the Greeks did before they produced a Homer, the Romans a Virgil, the French a Racine, and Voltair, the English a Shakspeare and Milton, should this reproach be then true, we will enquire from what unfriendly causes it has proceeded, that the other countries of Europe and other quarters of the world shall not have inscribed any name in the roll of poets.”* “Neither has America, [says the Abbe,] produced one mathematician, one man of genius in a single art, or a single science.” “In war we have produced a Washington, whose memory will be adored while liberty shall have votaries; whose name will triumph over time, and will in future ages assume its just station among the most celebrated worthies of the world; *when that wretched philosophy shall be forgotten*, which would have arranged him among the degeneracies of nature. In physics, we have produced a Franklin, than whom, no one of the present age has made more important discoveries, nor has enriched philosophy with more ingenious solutions of the phenomena of nature. We have supposed Mr. Rittenhouse second to no astronomer living; that in genius he must be the first, be-

* Has the world as yet produced more than two poets, acknowledged to be such by all nations? An Englishman, only, reads Milton with delight, an Italian, Tasso; a Frenchman, the *Henriade*; a Portuguese, Camoens; but Homer and Virgil have been the rapture of every age, and nation, &c.

cause he was selftaught. As an artist, he has exhibited as great a proof of mechanical genius, as the world ever produced. He has not indeed made a world ; but he has by imitation, approached nearer its maker than any man who has lived, from the creation to this day.* As in philosophy and war, so in government, in oratory, in painting, in the plastic art, we might shew that America, though but a child of yesterday, has already given hopeful proofs of genius, as well of the nobler kinds, which arouse the best feelings of man, which call him into action, which substantiate his freedom, and conduct him to happiness, as of the subordinate which serve to amuse him only. We therefore suppose that this reproach is as unjust as it is unkind ; and that of the geniuses which adorn the present age, America contributes her full share. For comparing her with those countries where genius is most cultivated, where are the most excellent models of art, and scaffoldings for the attainment of science, as France and England for instance, we calculate thus :—The United States contains three millions of inhabitants ; France, twenty millions, and the British Islands ten. We produce a Washington, a Franklin, a Rittenhouse. France, then, should have half a dozen in each of these lines, and Great-Britain half of that number, equally eminent.” *Let them shew them.*

“ Having given a sketch of our minerals, vegetables, and quadrupeds, and being led by a proud theory to make a comparison of the latter with those of Europe, and to extend it to the man of America, both aboriginal and emigrant ; I will now proceed to the remaining articles comprehended under this head.

* There are various ways of keeping truth out of sight. Mr. Rittenhouse’s model of the planetary system, has the plagiary appellation of an Orrery ; and the quadrant invented by Godfrey, an American, also, and with the aid of which the Europeans traverse the globe, is called Hadley’s quadrant.

“Between ninety and a hundred of our birds have been described by Catesby. His drawings are better as to form and attitude, than colouring, which is generally too high. They are the following :—

BIRDS OF VIRGINIA.

Tyrant. Field marten	Summer duck
Turkey buzzard	Blue wing shoveler
Bald eagle	Round crested duck
Little hawk. Sparrow hawk	Pied bill dopchick
Pidgeon hawk	Largest crested heron
Forked tail hawk	Crested bittern
Fishing hawk	Blue heron. Crane
Little owl	Small bittern
Parrot of Carolina. Perro-	Little white heron
quet	Brown bittern. Indian hen
Blue jay	Wood pelican
Baltimore Bird	White curlew
Bastard Baltimore	Brown curlew
Purple jackdaw. Crow black-	Chattering plover. Kildee
bird	Oyster catcher
Carolina cuckow	Sorec. Ral-bird
White bill woodpecker	Wild turkey
Large red crested wood-	American partridge. Ameri-
pecker	can quail
Gold winged woodpecker.—	Pheasant. Mountain par-
Yucker	tridge
Red bellied woodpecker	Ground dove
Smallest spotted woodpecker	Pigeon of passage. Wild pi-
Hairy woodpecker. Speck-	geon
led woodpecker	Turtle. Turtle dove
Yellow bellied do.	Lark. Sky lark
Nuthatch	Field lark. Large lark
Small do.	Red wing. Starling. Marsh
Kingfisher	blackbird
Pinecreeper	Fieldfare of Carolina. Rob-
Humming bird	bin redbreast
Wild goose	Fox coloured thrush. Thrush
Buffel's head duck	Mocking bird
Little brown duck	Little thrush
White face teal	Chatterer [gale
Blue wing teal	Red bird. Virginia Nightin-

Blue gross beak	House swallow
Snow bird	Ground swallow
Rice bird	Greatest grey eagle
Painted finch	Smaller turkey buzzard, with a feathered head
Blue linnet	Great owl
Little sparrow	Wet hawk, which feeds flying
Cowpen bird	Raven
Towhe bird	Water pelican of the Missis- sippi, whose pouch holds a peck
American goldfinch. Lettuce bird	Swan
Purple finch	Loon
Crested flycatcher	Cormorant
Summer red bird	Duck and mallard
Red start	Widgeon
Cat bird	Sheldrach, or canvass back
Black cap flycatcher	Black head
Little brown flycatcher	Ballcoot
Red eyed do.	Sprigtail
Blue bird	Didapper, or dopchick
Wren	Spoon bill duck
Yellow breasted chat	Water witch
Crested titmouse	Water pheasant
Finch creeper	Mow bird
Yellow rump	Blue peter
Hooded titmouse	Water wagtail
Yellow throated creeper	Yellow legged snipe
Yellow titmouse	Squating snipe
American swallow	Small plover
Purple marten. House mar- ten	Whistling plover
Goat sucker. Great bat	Woodcock
Whip-poor-Will.	Red bird, with black head, wings and tail.
	And doubtless many others not yet classed and describ- ed.

ALSO THE FOLLOWING.

Royston crow
Crane

APPENDIX A....No. I.

Answer of the Dutch Governor to the English commander's summons to surrender New-York to the British in the harbour, in September, 1664.

“ MY LORDS,

“ YOUR first letter, unsigned of the 20th–31st August, together with that of this day, signed according to form, being the first of September, have been safely delivered into our hands by your deputies, unto which we shall say, that the rights of his majesty of England, unto any part of America hereabout, among the rest, unto the colonies of Virginia, Maryland, or others in New-England, whether disputable or not, is that, which for the present, we have no design to debate upon. But that his majesty hath an indisputable right, to all the lands in the north parts of America, is that, which the kings of France and Spain will disallow, as we absolutely do, by virtue of a commission given me, by my lords, the High and Mighty States General, to be governor general, over New-Holland, the isles of Curacoa, Bonaire, Aruba, with their appurtenancies and dependancies, bearing date the 26th of July, 1646. As also by virtue of a grant and commission, given by my said lords, the High and Mighty States General, to the West-India Company, in the year 1621, with as much power and as authentic, as his said majesty of England hath given, or can give, to any colony in America, as more fully appears by the patent and commission of the said lords the States General, by them signed, registered, and sealed with their great seal, which were shewed to your deputies, Col. George Carteret, Capt. Robert Needham, Capt. Edward Groves, and Mr. Thomas Delevall; by which commission and patent, together (to deal frankly with you) and by divers letters, signed and sealed by our said lords, the States General, directed to several persons, both English and Dutch, inhabiting the towns and villages on Long-Island,

(which without doubt, have been produced before you, by those inhabitants) by which they are declared and acknowledged to be their subjects, with express command, that they continue faithful unto them, under the penalty of incurring their utmost displeasure, which makes it appear more clear than the sun at noon-day, that your first foundation, viz. (that the right and title of his majesty of Great-Britain, to these parts of America is unquestionable) is absolutely to be denied. Moreover, it is without dispute, and acknowledged by the world, that our predecessors, by virtue of the commission and patent of the said lords, the States General, have without controul and peaceably (the contrary never coming to our knowledge) enjoyed Fort Orange, about forty-eight or fifty years, the Mannhattans, about forty-one or forty-two years, the South River, forty years, and the Fresh Water River about thirty-six years. Touching the second subject of your letter, viz. His Majesty hath commanded me, in his name, to require a surrender of all such forts, towns, or places of strength, which now are possessed by the Dutch, under your command. We shall answer, that we are so confident of the discretion and equity of his Majesty of Great-Britain, that in case his Majesty were informed of the truth, which is, that the Dutch came not into these provinces by any violence, but by virtue of commissions from my lords, the States General; first of all in the years 1614, 1615, and 1616, up the North River, near Fort Orange, where, to hinder the invasions and massacres commonly committed by the savages, they built a little fort, and after, in the year 1622, and even to this present time, by virtue of a commission and grant, to the governors of the West-India company; and moreover, in the year 1656, a grant to the honourable the burgomasters of Amsterdam, of the South River; insomuch, that by virtue of the abovesaid commissions from the High and Mighty States General, given to the persons interested as aforesaid, and others, these provinces have been governed, and consequently enjoyed, as also in regard of their first discovery, uninterrupted possessions, and purchase of the lands of the princes, natives of the country, and other private persons (though gentiles) we make no doubt,

that if his said Majesty of Great-Britain were well informed of these passages, he would be too judicious to grant such an order, principally in a time when there is so straight a friendship and confederacy, between our said lords and superiors, to trouble us in the demanding and summons of the places and fortresses, which were put into our hands, with order to maintain them, in the name of the said lords, the States General, as was made appear to your deputies, under the names and seal of the said High and Mighty States General, dated the 28th of July, 1646. Besides what had been mentioned, there is little probability, that his said Majesty of England (in regard the articles of peace are printed, and were recommended to us to observe seriously and exactly, by a letter written to us by our said lords, the States General, and to cause them to be observed religiously in this country) would give order touching so dangerous a design, being also apparent, that none other than my said lords, the States General, have any right to these provinces, and consequently ought to command and maintain their subjects, and in their absence, we the governor-general are obliged to maintain their rights, and to repel and take revenge of all threatnings, unjust attempts, or any force whatsoever, that shall be committed against their faithful subjects and inhabitants, it being a very considerable thing to affront so mighty a state, although it were not against an ally and confederate. Consequently, if his said majesty (as it is fit) were well informed of all that could be spoken upon this subject, he would not approve of what expressions were mentioned in your letter ; which are, that you are commanded by his majesty, to demand in his name, such places and fortresses as are in possession of the Dutch under my government ; which, as it appears by my commission before-mentioned, was given me by my lords, the High and Mighty States General. And there is less ground in the express demand of my government, since all the world knows, that about three years ago, some English frigates being on the coast of Africa, upon a pretended commission, they did demand certain places under the government of our said lords, the States General, as Cape Vert, River Gambo, and all other

places in Guyny to them belonging. Upon which our said lords, the States General, by virtue of the articles of peace, having made appear the said attempt to his Majesty of England, they received a favourable answer, his said majesty disallowing all such acts of hostility, as might have been done, and besides, gave order that restitution should be made to the East-India Company, of whatsoever had been pillaged, in the said River of Gambo ; and likewise restored them to their trade, which makes us think it necessary, that a more express order should appear unto us, as a sufficient warrant for us, towards my lords, the High and Mighty States General, since by virtue of our said commission, we do, in these provinces, represent them, as belonging to them, and not to the King of Great-Britain, except his said majesty, upon better grounds, make it appear to our said Lords, the States General, against which they may defend themselves as they shall think fit.

“ To conclude : we cannot but declare unto you, though the governors and commissioners of his majesty have divers times quarrelled with us, about the bounds of the jurisdiction of the High and Mighty the States General, in these parts, yet they never questioned their jurisdiction itself ; on the contrary, in the year 1650, at Hartford, and the last year at Boston, they treated with us upon this subject, which is a sufficient proof, that his majesty hath never been well informed of the equity of our cause, insomuch as we cannot imagine, in regard of the articles of peace, between the crown of England and the States General, (under whom there are so many subjects in America, as well as Europe) that his said Majesty of Great-Britain would give a commission to molest and endamage the subjects of my said lords, the States General, especially such, as ever since fifty, forty, and the latest thirty-six years have quietly enjoyed their lands, countries, forts, and inheritances ; and less, that his subjects would attempt any acts of hostility or violence against them : and in case that you will act by force of arms, we protest and declare, in the name of our said lords, the States General, before God and men, that you will act an unjust violence, and a breach of the articles of peace, so solemnly

sworn, agreed upon, and ratified by his Majesty of England, and my lords the States General, and the rather for that to prevent the shedding of blood, in the month of February last we treated with Captain John Scott, (who reported he had a commission from his said majesty) touching the limits of Long-Island, and concluded for the space of a year ; that in the mean time, the business might be treated on between the King of Great-Britain, and my lords, the High and Mighty States General : and again, at present, for the hinderance and prevention of all differences, and the spilling of innocent blood, not only in these parts, but also in Europe, we offer unto you, a treaty by our deputies, Mr. Cornelius Van Ruyven, secretary and receiver of New-Holland, Cornelius Steenwich, burgomaster, Mr. Samuel Magapolensis doctor of physic, and Mr. James Cousseau, heretofore sheriff. As touching the threats in your conclusion, we have nothing to answer, only that we fear nothing, but what God, (who is as just as merciful,) shall lay upon us ; all things being in his gracious disposal, and we may as well be preserved by him with small forces, as by a great army, which makes us to wish you all happiness and prosperity, and recommend you to his protection. My lords, your thrice humble, and affectionate servant and friend, signed P. Stuyvesant.—At the Fort at Amsterdam, the second of September, New Stile, 1664.”

APPENDIX B....No. II.

Articles of Capitulation at the Surrendery of New-York.

“ These articles following, were consented to by the persons here-under subscribed, at the Governor’s Bowery, August the 27th, old style, 1664.

I. “ We consent, that the States General, or the West-India company, shall freely enjoy all farms and houses (except such as are in the forts) and that within six months, they shall have free liberty to transport all such arms and ammunition, as now does belong to them, or else they shall be paid for them.

II. " All public houses shall continue for the uses which they are for.

III. " All people shall still continue free denizens, and shall enjoy their lands, houses, goods, wheresoever they are within this country, and dispose of them as they please.

IV. " If any inhabitant have a mind to remove himself, he shall have a year and six weeks from this day, to remove himself, wife, children, servants, goods, and to dispose of his lands here.

V. " If any officer of state, or public minister of state, have a mind to go for England, they shall be transported freight free, in his Majesty's frigates, when these frigates shall return thither.

VI. " It is consented to, that any people may freely come from the Netherlands, and plant in this colony, and that Dutch vessels may freely come hither, and any of the Dutch may freely return home, or send any sort of merchandize home, in vessels of their own country.

VII. " All ships from the Netherlands, or any other place, and goods therein, shall be received here, and sent hence, after the manner which formerly they were, before our coming hither, for six months next ensuing.

VIII. " The Dutch here shall enjoy the liberty of their consciences in divine worship and church discipline.

IX. " No Dutchman here, or Dutch ship here, shall upon any occasion, be pressed to serve in war against any nation whatsoever.

X. " That the townsmen of the Mannhattans, shall not have any soldiers quartered upon them, without being satisfied and paid for them by their officers, and that at this present, if the fort be not capable of lodging all the soldiers, then the burgomasters, by their officers, shall appoint some houses capable to receive them.

XI. " The Dutch here shall enjoy their own customs concerning their inheritances.

XII. " All public writings and records, which concern the inheritances of any people, or the reglement of the church or

poor, or orphans, shall be carefully kept by those in whose hands now they are, and such writings as particularly concern the States General, may at any time be sent to them.

XIII. "No judgment that has passed any judicature here, shall be called in question, but if any conceive that he hath not had justice done him, if he apply himself to the States General, the other party shall be bound to answer the supposed injury.

XIV. "If any Dutch, living here, shall at any time desire to travail or traffic into England, or any place, or plantation, in obedience to his Majesty of England, or with the Indians, he shall have (upon his request to the governor) a certificate that he is a free denizen of this place, and liberty to do so.

XV. "If it do appear, that there is a public engagement of debt, by the town of the Manhattoes, and a way agreed on for the satisfying of that engagement, it is agreed, that the same way proposed shall go on, and that the engagement shall be satisfied.

XVI. "All inferior civil officers and magistrates shall continue as now they are, (if they please) till the customary time of new elections, and then new ones to be chosen by themselves, provided that such new chosen magistrates shall take the oath of allegiance to his Majesty of England, before they enter upon their office.

XVII. "All differences of contracts and bargains made before this day, by any in this country, shall be determined, according to the manner of the Dutch.

XVIII. "If it do appear, that the West-India company of Amsterdam, do really owe any sums of money to any persons here, it is agreed that recognition, and other duties payable by ships going for the Netherlands, be continued for six months longer.

XIX. "The officers military and soldiers, shall march out with their arms, drums beating, and colours flying, and lighted matches; and if any of them will plant, they shall have fifty acres of land set out for them; if any of them will serve as

servants, they shall continue with all safety, and become free denizens afterwards.

XX. “ If at any time hereafter, the King of Great-Britain and the States of the Netherlands do agree that this place and country be re-delivered into the hands of the said States, whensoever his Majesty will send his commands to re-deliver it, it shall immediately be done.

XXI. “ That the town of Manhattans shall chuse deputies, and those deputies shall have free voices in all public affairs, as much as any other deputies.

XXII. “ Those who have any property in any houses in the fort of Aurania, shall (if they please) slight the fortifications there, and then enjoy all their houses, as all people do where there is no fort.

XXIII. “ If there be any soldiers that will go into Holland, and if the company of West-India in Amsterdam, or any private persons here, will transport them into Holland, then they shall have a safe passport from Colonel Richard Nicolls, deputy-governor under his royal highness and the other commissioners, to defend the ships that shall transport such soldiers, and all the goods in them, from any surprizal or acts of hostility, to be done by any of his Majesty's ships or subjects. That the copies of the King's grant to his royal highness, and the copy of his royal highness' commission to Colonel Richard Nicolls, testified by two commissioners more, and Mr. Winthrop, to be true copies, shall be delivered to the honourable Mr. Stuyvesant, the present governor, on Monday next, by eight of the clock in the morning, at the Old Miln, and these articles consented to, and signed by Col. Richard Nicolls, deputy-governor to his royal highness, and that within two hours after the fort and town called New-Amsterdam, upon the isle of Manhattoes, shall be delivered into the hands of the said Colonel Richard Nicolls, by the service of such as shall be by him thereunto deputed, by his hand and seal.

“ JOHN DE DECKER,

“ NICH. VERLEETT,

“ SAMUEL MEGAPOLENSIS,

“ CORNELIUS STEENWICK,

“ OLOFFE STEVENS VAN KORTLANT,

“ JAMES COUSSEAU,

“ ROBERT CARR,

“ GEORGE CARTERET,

“ JOHN WINTHROP,

“ SAMUEL WILLYS,

“ THOMAS CLARKE,

“ JOHN PINCHON.

“ I do consent to these articles,

“ RICHARD NICOLLS.”



APPENDIX E....No. III.

Certain conditions, or concessions agreed upon by William Penn, proprietary and governor of the province of Pennsylvania, and those who are the adventurers and purchasers in the same province, the eleventh of July, 1681,

“ I. So soon as it pleaseth God that the abovesaid persons arrive there, a certain quantity of land, or ground-plat, shall be laid out for a large town or city, in the most convenient place upon the river, for health and navigation ; and every purchaser and adventurer shall, by lot, have so much land therein as will answer to the proportion which he hath bought, or taken up upon rent ; but it is to be noted that the surveyors shall consider what roads, or highways, may be necessary to the cities, towns, or through the lands. Great roads, from city to city, to contain not less than forty feet in breadth, which shall first be laid out and declared to be for highways, before the dividend of acres be laid out to purchasers, and the like observation to be had for the streets in towns or cities, that there may be convenient roads and streets preserved, not to be encroached upon by any planter, or builder ; that none may build irregularly to the damage of another. *In this, custom governs.*

“ II. That the land in the town be laid out together, after the proportion of ten thousand acres, if the place will bear it ; however, that the proportion be by lot, and entire, so that those who may desire to be together, especially those that are by the catalogue laid together, may be so laid together both in the town and country.

“ III. That when the country lots are laid out, every purchaser, from one thousand to ten thousand acres, or more, not to have more than one thousand acres together, unless in three years they plant a family upon each thousand acres ; but that all such as purchase together lie together ; and for as many as comply with this condition, that the whole be laid.

“ IV. That where any number of purchasers, more or less, whose number of acres amounts to five or ten thousand, desire to sit together, in a lot or township, they shall have their lot or township cast together, in such places as have convenient harbours or navigable rivers attending it, if such can be found ; and in case any one or more purchasers plant not according to agreement in this concession, to the damage of others of the same township, upon complaint thereof made to the governor or his deputy, with assistance, they may award (if they see cause) that the complaining purchaser may, paying the survey money, and purchase money, and interest thereof, be entitled, enrolled and lawfully invested, in the lands so not seated.

“ V. That the proportion of land that shall be laid out in the first great town, or city, for every purchaser, shall be after the proportion of ten acres for every five thousand acres purchased, if the place will allow it.

“ VI. That notwithstanding there be no mention made in the several deeds made to the purchasers ; yet the said William Penn does accord and declare, “ that all rivers, and rivulets, woods, and underwoods, waters, and watercourses, quarries, mines, and minerals, (except mines royal) shall be freely and fully enjoyed, and wholly by the purchasers into whose hands they fall.”

“ VII. That for every fifty acres that shall be allotted to a servant at the end of his service, his quit-rent shall be two shil-

lings per annum, and the master or owner of the servant, when he shall take up the other fifty acres, his quit-rent shall be four shillings per annum, or if the master of the servant (by reason in the indentures he is obliged so to do) allot out to the servant fifty acres in his own division, the said master shall have on demand, allotted him from the governor, one hundred acres at the chief rent of six shillings per annum.

“ VIII. And for the encouragement of those that are ingenious, and are willing to search out gold and silver mines in this province, it is hereby agreed, that they have liberty to bore and dig in any man's property, fully paying the damage done: and in case a discovery should be made, that the discoverer have one fifth, and the owner of the soil (if not a discoverer,) one tenth, and the governor two fifths, and the rest to the public treasury, saving to the king the share reserved by patent.

“ IX. In every ten thousand acres, the governor and proprietary, by lot, reserveth ten to himself, which shall lie but in one place.

“ X. That every man shall be bound to man, to plant so much of his share of land as shall be set off and surveyed, within three years after it is set out and surveyed, or else it shall be lawful for new comers to be settled thereon, paying to them their survey money, and they go higher up for their shares.

“ XI. There shall be no buying and selling, be it with an Indian, as one among another, of any goods to be exported, but that shall be performed in public market, when such places shall be set apart, or erected, where they shall pass the public stamp or mark. If bad ware, and prized as good, or deceitful in proportion, or weight, to forfeit the value, as if of good and full weight and proportion, to the public treasury of this province, whether it be the merchandize of the Indian or that of the planter.

“ XII. And for as much as it is usual with the planters to over reach the poor natives of the country, in trade, by goods, not being good of the kind, or debased with mixtures, with which they are sensibly aggrieved, it is agreed that whatever

is sold to the Indians in consideration for their furs, shall be sold in the market place, and then suffer the test, whether good or bad ; if good, then to pass ; if not good, not to be sold for good, that the natives may not be abused nor provoked.

“ XIII. That no man shall by any ways or means, in word or deed, affront or wrong any Indian ; but he shall incur the same penalty of the law as if he had done it against his fellow planter ; and if any Indian shall in word, or deed, abuse any planter of this province, that he shall not be his own judge upon the Indian ; but he shall make his complaint to the governor of the province, or his lieutenant or deputy, or some inferior magistrate near him, who shall to the utmost in his power, take care with the king of the said Indian, that all reasonable satisfaction be made to the said injured planter.

“ XIV That all differences between the planters and the natives shall also be ended by twelve men ; that is, by six planters, and six natives ; that so we may live friendly together, as much as in us lieth, preventing all occasions of heartburnings and mischief.

“ XV. That all Indians shall have liberty to do all things relating to the improvement of their grounds, and providing sustenance for their families, that any of the planters shall enjoy.

“ XVI. That the laws as to slanders, drunkenness, swearing, cursing, pride in apparel, trespasses, distress, replevins, weights, and measures, shall be the same as in England, till altered by law in this province.

“ XVII. That all shall mark their hogs, sheep, and other cattle, and what are not marked within three months after it is in their possession, be it young or old, it shall be forfeited to the governor, that so the people may be compelled to avoid the occasion of much strife between planters.

“ XVIII. That in clearing the ground, care be taken to leave one acre of trees for every five acres cleared, especially to preserve oak and mulberries, for silk and shipping.

“ XIX. That all masters of ships shall give an account of their countries, names, ships, owners, freights and passengers,

to an officer to be appointed for that purpose, which shall be registered in two days after their arrival ; and if they shall refuse so to do, that then none presume to trade with them, upon forfeiture thereof; and that such masters be looked upon as having an evil intention to the province.

“ XX. That no person shall leave the province, without publication being made thereof in the market place three weeks before, and a certificate from some justice of the peace, of his clearness with his neighbours, and those he dealt with, so far as such an affirmation can be attained, and given ; and if any master of a ship shall, contrary hereunto, receive and carry away any such person, that hath not given such public notice, then the said master shall be liable for all debts owing by the said person, so secretly transported from this province.

“ Lastly. That these are to be added to, or corrected, by and with the consent of the parties hereunto subscribed.”

Here follow the names of the proprietary, and all the planters who had then become purchasers.

I have inserted this instrument to shew the purity of the measures of William Penn.

APPENDIX F....No. IV.

The frame of the government of the province of Pennsylvania, in America, together with certain laws agreed upon in England, by the governor and diverse freemen of the aforesaid province ; to be further explained and confirmed there, by the first provincial council, that shall be held, if they see meet.

THE PREFACE.

“ When the great and wise God had made the world, of all his creatures, it pleased him to choose man as his deputy to rule it : and to fit him for so great a charge and trust, he did not only qualify him with skill and power, but with integrity to use

them justly. This native goodness was equally his honour and his happiness ; and whilst he stood here, all went well ; there was no need of coercion ; the precept of divine love and truth in his bosom, was the guide and keeper of his innocence ; but lust prevailing against duty, made a lamentable breach upon it ; and law that had no power before, took place upon him, and his disobedient posterity ; that all such as would not live conformable to the holy law within, should fall under the reproof and correction of the just law without, in a judicial administration.

“ This the Apostle teaches in divers of his Epistles. “ The Law, (says he) was added because of transgression.” In another place, “ Knowing that the Law was not made for the righteous man ; but for the disobedient and ungodly, for sinners, for the unholy, the profane,” &c. But this is not all, he opens and carries the matter of government a little further ; “ Let every man be subject to the higher powers ; for there is no power but of God ; the powers that be, are ordained of God : whosoever therefore resisteth the power, resisteth the ordinance of God : for rulers are not a terror to good works, but to the evil ; wilt thou not then be afraid of the power ? Do that which is good, and thou shalt have praise of the same.” — “ He is the minister of God to thee for good : wherefore ye must needs be subject not only for wrath, but for conscience sake.”

“ This settles the divine right of government beyond controversy ; and that for two ends ; first, to terrify evil doers, and next, to cherish such as do well ; which gives government a life beyond corruption, and makes it as durable as the world, and good as men should be : so that government seems to be a part of religion itself ; a thing raised in its institution and end, &c. Thus much of government in general, as to its rise and end.

“ For particular *frames* and *models*, it will become me to say little, and comparatively I will say nothing. My reasons are,

“ First, The age is too nice and difficult for it ; there being nothing the wits of men are more busy and divided upon. The reason why men are so discordant in their sentiments upon this

subject, is not for the want of knowledge, but for the want of a right use of it ; they side with their passions against their reason, and their sinister motives and interests have so strong a bias upon their minds, that they lean to them against the good of the things they know.

“ Secondly, I do not find a model in the world, that time, place, and some singular emergencies have not necessarily altered ; nor is it easy to frame a civil government that shall serve all places alike.

“ Thirdly, I know what is said by the several admirers of *Monarchy, Aristocracy and Democracy*, which are the rule of *one, a few, and many* ; and are the three common ideas of government, when men converse upon that subject ; but I choose to solve the controversy with this distinction, and it belongs to all three. *Any government is free to the people under it, when the laws rule, (whatever be the frame) and the people are a party to those laws.* More than this is *tyranny, oligarchy, or confusion.* Wherefore governments rather depend upon men, than men upon governments. Let men be good and the government cannot be bad ; if it be ill, they will cure it ; but if men be bad, be the government ever so good, they will endeavour to warp and spoil it to answer their turns.

“ I know some say, let us have good laws, and no matter for the men who execute them ; but let them consider, that though good laws do well, good men do better ; for good laws may want good men, and may be evaded or abolished by bad ones ; but good men will never want good laws, nor suffer ill ones. It is true, good laws have some awe upon ill ministers ; but that is where they have not power to escape or abolish them, and the people are generally wise and good : a loose and depraved people (which is to the question) love laws and an administration like themselves. That therefore which makes a good *Constitution* must keep it, *viz. men of wisdom and virtue*, qualities, that because they descend not with worldly inheritances, must be carefully propagated by a virtuous education of youth ; for which after ages will owe more to the care and prudence of founders,

and the successive magistracy, than to their parents for their private patrimony.

“ The design of the following Constitution, is to promote the end of all governments, viz. *to support power in reverence with the people, and to secure the people from the abuse of power* : that they may be free by their just obedience, and the magistrates honourable for their just administration.

THE FRAME, &c.

“ To all people to whom these presents shall come. Whereas King Charles II. by his letters patent, under the great seal of England, for the consideration therein mentioned, hath been graciously pleased to give and grant unto me, William Penn, (by the name of William Penn, Esq. son and heir of Sir William Penn, deceased,) and to my heirs, and assigns for ever, all that tract of land, or province, called Pennsylvania in America, with divers great powers, pre-eminences, jurisdictions, and authorities, necessary for the well being and government thereof :

Now know ye, that for the well-being, and government of the said province, and for the encouragement of all the freemen and planters that may be therein concerned, in pursuance of the powers abovementioned, I the said William Penn have declared, granted, and confirmed, and do by these presents, for me, my heirs, and assigns, declare, grant, and confirm unto all the freemen, planters and adventurers of, in, and to the said province, these liberties, franchises, and properties, to be held, enjoyed, and kept by all the freemen, planters, and inhabitants of the said Pennsylvania, for ever.

“ *Imprimis.* That the government of this province shall according to the powers of the patent, consist of the governor and freemen of said province, in form of a Provincial Council, and General Assembly, by whom all laws shall be made, officers chosen, and public affairs transacted, as is hereafter respectively declared, that is to say—

“ II. That the freeman of the said province, shall, on the 20th day of the twelfth month, which shall be in this present year, one thousand six hundred and eighty-two, meet and assemble in some fit place, of which timely notice shall be beforehand given, by the governor or his deputy ; and then and there shall choose out of themselves *seventy-two* persons of most note for their wisdom, virtue and ability, who shall meet on the tenth day of the first month next ensuing, and always be called, and act as the Provincial Assembly of the said province.

“ III. That at the first choice of such Provincial Council, one third part of the said Provincial Council, shall be chosen to serve for three years then next ensuing ; one third part for two years next ensuing, and one third part for one year next ensuing such election, and no longer ; and that the said third part shall go out accordingly ; and on the twentieth day of the twelfth month yearly, as aforesaid, for ever afterwards, the freemen in the said province shall in like manner meet, and assemble together, and choose twenty-four persons, being one third of the said number, to serve in Provincial Council for three years ; it being intended that one third of the whole Provincial Council (always consisting and to consist of the number of *seventy-two* persons as aforesaid) falling off yearly, it shall be supplied by such yearly elections, as aforesaid ; and that no one person shall continue therein longer than three years ; and in case any member shall decease before his term expires, that then at the next ensuing election, another shall be chosen to supply his place for the remaining time he was to have served, and no longer.

“ IV. That after the first seven years, every one of the said third parts that goeth yearly off, shall be incapable of being chosen again for one whole year following : that so all may be fitted for government, and have experience in the care and burthen of it.

“ V. That the Provincial Council, in all cases and matters of moment, as their arguing upon bills to be passed into laws, erecting courts of justice, giving judgments upon criminals impeached, and choice of officers, in such manner as is herein-

after mentioned ; not less than two thirds of the whole Provincial Council shall make a quorum ; and that the approbation and consent of two thirds of such quorum shall be had in all such cases and matters of moment ; and moreover, that in all cases of lesser moment, twenty-four members of such council shall make a quorum ; the majority of which twenty-four shall and may always determine in such cases, and causes of lesser moment.

“ VI. That in this Provincial Council, the governor or his deputy, shall, or may always preside, and have a treble voice ; and the said Provincial Council shall always continue and sit upon its own adjournments, and committees.

“ VII. That the Governor and Provincial Council shall prepare and propose to the General Assembly, hereafter mentioned, all bills, which they shall, at any time think fit to be passed into laws, within the said province ; which bills shall be published and affixed to the most noted places in the inhabited parts thereof, thirty days before the meeting of the General Assembly, in order to the passing them into laws, or rejecting them, as the General Assembly shall see fit.

“ VIII. That the Governor and Provincial Council shall take care that all laws, statutes, and ordinances, which shall at any time be made within the said province, be diligently and duly executed.

“ IX. That the Governor and Provincial Council shall at all times, have the care of the peace and safety of the province, and that nothing be attempted, by any person, to the subversion of this frame of government.

“ X. That the Governor and Provincial Council shall at all times settle, and order the situation of the cities, ports, and market towns, in every county ; modeling therein all public buildings, streets, and market places, and shall appoint all necessary roads and highways in the province.

“ XI. That the Governor and Provincial Council shall at all times have power to inspect the management of the public treasury, and punish those who shall at any time convert any

part thereof otherwise than what hath been agreed upon by the Governor, Provincial Council, and General Assembly.

“ XII. That the Governor and Provincial Council shall order and erect all public schools, and encourage and reward the authors of useful sciences, and laudable inventions in the said province.

“ XIII. That for the better management of the powers and trust aforesaid, the Provincial Council shall, from time to time, divide itself into four committees, distinct, and proper, for the more easy administration of the affairs of this province, which divides the seventy-two into four eighteens, every one of which eighteens shall consist of six out of the three orders, or yearly elections, each of which shall have a distinct portion of business, as follows :—First, a committee of plantations to situate and settle cities, ports, and market towns, and highways ; and to hear and decide all suits and controversies relating to plantations.—Secondly, a committee of justice and safety, to secure the peace of the province, and punish the mal-administration of those who prevent justice, to the prejudice of public or private interest.—Thirdly, a committee of trade, and treasury, who shall regulate all trade and commerce, according to law ; encourage manufacture and country growth, and defray the public charge of the province.—And, Fourthly, a committee of manners, education, and arts ; that all wicked and scandalous living may be prevented, and that youth may be successively trained up in virtue and useful knowledge and arts ; the quorum of each of which committees being six, that is, two out of each of the three orders, or yearly elections, as aforesaid, make a constant and standing council of twenty four, which will have the power of the Provincial Council, being a quorum of it, in all cases not excepted in the fifth article ; and in the said committees, and standing council of the province, the governor or his deputy, shall or may preside therein, as aforesaid ; and in the absence of the governor or his deputy, if no one is by either of them appointed, the said committees, or council shall appoint a president for that time, and not otherwise, and what shall be resolved at such committees shall be reported at the said coun-

cil of the province, and shall be by them resolved and confirmed, before the same shall be put in execution ; and that these said committees shall not sit at one and the same time ; unless in cases of necessity.

“ XIV. And to the end that all laws prepared by the Governor and Provincial Council aforesaid, may yet have the more full concurrence of the freemen of the province, it is declared, granted and confirmed, that at the time and place or places for the choice of a Provincial Council, as aforesaid, the said freemen shall yearly choose members to serve in General Assembly, as their representatives, not exceeding two hundred persons, &c. But not less than two thirds of these shall make a quorum in the passing of laws, and choice of such officers as are by them to be chosen.

“ XV. That the laws so prepared, and proposed, as aforesaid, that are assented to by the General Assembly, shall be enrolled as laws of the province, with this stile ;—By the governor, with the assent, and approbation of the freemen, in provincial council, and General Assembly.

“ XVI. That for the establishment of the government and laws of this province, and to the end there may be an universal satisfaction ; in the laying of the fundamentals thereof ; the General Assembly may for the first year, consist of all the freemen of, and in said province, and ever after it shall be yearly chosen as aforesaid ; which number of two hundred shall be increased and enlarged as the country shall increase in people, so as it do not exceed five hundred at any time ; the appointment and apportioning of which, as also the laying, and methodizing of the choice of the Provincial Council, and General Assembly, in future times, most equally to the divisions of the hundreds, and counties which the province shall hereafter be divided into, shall be in the power of the Provincial Council to propose, and the General Assembly to resolve.

“ XVII. That the Governor and Provincial Council shall erect from time to time, standing courts of justice, in such places, and number as they shall judge convenient for the good government of the said province. And that the Provin-

cial Council, shall on the thirteenth day of the first month, yearly, elect, and present to the governor, or his deputy, a double number of persons to serve as judges, treasurers, masters of rolls, within the said province for the year next ensuing; and the freemen in the said province, in the county courts, when they shall be erected, and until then, in the general assembly, shall on the three and twentieth day of the second month, yearly, elect and present to the governor or his deputy, a double number of persons to serve for sheriffs, justices of the peace, and coroners, for the year next ensuing; out of which respective electors, the governor or his deputy shall nominate and commissionate the proper number for each office, the third day after such presentments, or else the first named in such presentment shall stand and serve for that office the year ensuing.

“XVIII. But forasmuch as the present condition of the province requires some immediate settlement, and admits not of so quick a revolution of officers; and to the end, the said province may with all convenient speed, be well ordered and settled, I William Penn do therefore think fit to appoint such men for judges, treasurers, masters of rolls, sheriffs, justices of the peace, and coroners, as are most fitly qualified for those employments, to whom I shall make and grant commissions for the said offices, respectively, to hold to them to whom the same shall be granted, for so long a time as every such person shall well behave himself in the office or place, to him respectively granted, and no longer. And upon the decease or displacing of any such officer, the succeeding officer, or officers, shall be chosen as aforesaid.

“XIX. That the General Assembly shall continue so long as may be needful to impeach criminals, fit to be there impeached, to pass bills into laws, that they shall think fit to pass into laws, and till such time as the governor and council shall declare that they have nothing further to propose unto them for their assent and approbation; and that declaration shall be a dismissal to the General Assembly, for that time; which General Assembly shall be, notwithstanding, capable of assembling to

gether, upon the summons of the Provincial Council, at any time during that year, if the said council shall see occasion for their so assembling.

“ XX. That all the electors of members or representatives of the people, to serve in Provincial Council, and General Assembly, and all questions to be determined by both, or either of them, that relate to the passing of bills into laws, to the choice of officers, to impeachments by the General Assembly, and judgment of criminals upon such impeachments, by the Provincial Council, and to all other cases by them respectively judged of importance, shall be resolved and determined by ballot ; and unless upon sudden and indispensable occasions, no business in Provincial Council, or in respective committees, shall be finally determined on the same day that it is moved.

XXI. That at all times, when and so often as it shall happen, that the governor shall or may be an infant, under the age of one and twenty years, and no guardians, or commissioners are appointed, in writing by the father of such infant, or that such guardians, or commissioners are deceased ; that during the time of such minority, the Provincial Council shall from time to time, as they shall see fit, constitute and appoint guardians, or commissioners, not exceeding three ; one of which three shall preside as deputy, and chief guardian, during such minority, and shall have and execute during such minority, with the consent of the other two, all the powers of a governor, in all the public affairs, and concerns of the said province.

“ XXII. That as often as any day of the month mentioned in this charter shall fall upon the first day of the week, (commonly called the Lord's day,) the business appointed for that day shall be deferred till the next day, unless in case of emergency.

“ XXIII. That no act, law, or ordinance whatsoever, shall at any time hereafter, be made or done by the governor of this province, his heirs, or assigns, or by the freemen in the Provincial Council, or the General Assembly, to alter, change, or diminish the form, or effect of this charter, or any part or clause thereof, or contrary to the true intent and meaning thereof.

without the consent of the governor, his heirs, or assigns, and six parts of seven of the said freemen in said Provincial Council, and General Assembly.

“XXIV. And lastly, I the said William Penn, for myself, my heirs and assigns, have solemnly declared, and granted, and confirmed, and do, &c. that neither I nor my heirs, or assigns, shall procure or do any thing or things whereby the liberties, in this charter contained and expressed, shall be infringed or broken, &c. In witness whereof, &c.

APPENDIX G....No. V.

Acts and Laws passed at Chester, December 1682, by the first assembly called by William Penn, after his arrival in the colony. Intituled “the Great Law or body of laws of the Province of Pennsylvania, and Territories thereunto belonging, passed at an assembly held at Chester, alias Upland, on the 7th day of the tenth month, called December, 1682.

PREAMBLE.

Whereas the glory of God, and the good of mankind is the reason and end of all government, and therefore government itself is a venerable ordinance of God ; and for as much as it is principally desired, and intended by the proprietary, and governor and friends of the Province of Pennsylvania, and territories thereunto belonging, to make and establish such laws as shall best preserve true christian and civil liberty, in opposition to all unchristian, licentious, and unjust practices ; whereby God may have his due, Cesar his due, and the people their due, from tyranny and oppression on the one side, and from insolence, and licentiousness on the other ; so that the best and firmest foundation may be laid, for the present and future happiness of both the governor and the people of this

province, and territories of this province aforesaid, and their posterity—*Be it enacted by William Penn, proprietary, and governor, by and with the consent of the deputies of the free-men of this province, and the counties aforesaid, in General Assembly met, and by the authority of the same, that these following chapters and paragraphs, be the laws of Pennsylvania and territories thereof.*

- 1 Concerning liberty of conscience.
- 2 Concerning qualification of officers, &c.
- 3 Against swearing by God, Christ, or Jesus.
- 4 Against swearing by any other thing or name.
- 5 Against speaking profanely of God, Christ, Spirit or Scripture.
- 6 Against cursing.
- 7 Against defiling the marriage bed.
- 8 Against incest.
- 9 Against sodomy or bestiality.
- 10 Against rape or ravishment.
- 11 Against bigamy.
- 12 Against drunkenness.
- 13 Against suffering drunkenness.
- 14 Against health drinking.
- 15 Against selling ardent spirits to the Indians.
- 16 Against wilful firing of houses.
- 17 Against breaking into or taking any thing out of houses.
- 18 Lands and goods of thieves and felons, &c. liable.
- 19 Against forcible entry.
- 20 Against unlawful assemblies and riots.
- 21 Against assaulting and menacing of parents.
- 22 ——— assaulting or menacing magistrates.
- 23 ——— ——— ——— masters.
- 24 ——— assault and battery.
- 25 Against duels.
- 26 Against riotous sports, plays, &c.
- 27 ——— playing at cards, dice, lotteries, &c.
- 28 ——— sedition.
- 29 ——— speaking slightly of or abusing magistrates.
- 30 ——— reporters, defamers, or spreaders of false news.

- 31 Against clamorous persons, soldiers, and sailors.
- 32 Provision for the poor.
- 33 Prices of beer and ale.
- 34 Measures and weights.
- 35 Names of days and months.
- 36 Witness lying.
- 37 Process, pleas, and record, to be in English.
- 38 Trials in civil and criminal cases.
- 39 Fees and salaries, bribery and extortion.
- 40 Fines to be moderate, &c.
- 41 Numerous suits avoidable.
- 42 Arrest of a person departing the province, how.
- 43 Promises, bargains, and agreements.
- 44 Charters, gifts, grants, conveyances, bills, bonds, and specialties, deeds, &c. how soon to be recorded.
- 45 What wills shall convey lands as well as chattels, &c.
- 46 Wills of *non compos mentis*, void.
- 47 Registry for wills.
- 48 Registry for servants.
- 49 Factors and their employ.
- 50 Against defacers, corrupters, and embezzlers of charters, conveyances, and their records, &c.
- 51 How lands and goods shall pay debts.
- 52 What prisoners bailable.
- 53 Jails and Jailers.
- 54 Prisons to be work-houses.
- 55 Wrongful imprisonment.
- 56 Where the penalty is either a sum of money or imprisonment, the magistrate to direct which.
- 57 Freemen, who.
- 58 Elections.
- 59 No money or goods by way of tax, custom, or contribution to be paid ; but by law.
- 60 Laws shall be printed and taught in schools.
- 61 All other things not provided for herein are referred to the governor and freemen from time to time.

NOTE.

By a letter from William Penn, dated Chester on Delaware 29th of the 10th month, 1682, his activity about this time further appears, as may be seen by the following extract.

“ I bless the Lord I am very well, and much satisfied with my portion here ; yet busy enough ; having much to do, to please all, and yet to have an eye to please those that are not here to please themselves.

“ I have been also to New-York, Long-Island, East-Jersey, and Maryland ; in which I have had good and eminent service for the Lord.

“ I am now casting the country into townships, for large lots of land, &c. As to outward things we are satisfied ; the land is good, the air pure, the water sweet, and plentiful, and provision good and easy to come at ; an innumerable quantity of wild fowl, fish, &c. In fine here is what an Abraham, an Isaac, and a Jacob would be well contended with, and service enough for God. Oh how sweet is the quiet of these parts, freed from the anxious, and troublesome solicitations, hurries, and perplexities of *woeful Europe* : God will thin her ; the day is not far distant ; it hastens upon her, &c.

“ Blessed be God, that of twenty three ships, none have miscarried ; only two or three had the small pox ; otherwise healthy and uncommonly swift passages ; some only 28 days.

“ Blessed be God, who is good to us, and follows us with his abundant kindness ; my soul fervently breathes that in his heavenly guidance we may be kept ; that we may serve him in our day, and lay down our heads in peace, &c.

APPENDIX I....No. VI.

The outlines of the city of Philadelphia have been given in the body of this work ; but a more minute plan of the several streets, may not be uninteresting to some readers, and may be seen as follows.

“ The distance of the streets from each other from east to west, with their names and dimensions, are—

Feet.

From Delaware Front Street, to Second Street,	360
Second Street to Third,	496
Third to Fourth,	396
Fourth to Fifth,	396
Fifth to Sixth,	376
Sixth to Seventh,	396
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100

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on Delaware and Schuylkill, exclusive of the two
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350

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<hr/>	
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<hr/>	

In the centre is a square of ten acres for the state-house, market-house, school-house, and chief meeting-house for the Quakers ; in each quarter of the city is a square of eight acres, to be for the like uses of Moorfields in London, &c.

Oldmixon.

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