

## APPENDIX XXXIV.

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### SECTION I.

History of the Constitutional Convention of 1776.<sup>1</sup>

### SECTION II.

Proceedings of the Provincial Conference held at Carpenter's Hall from June 18, 1776, to June 26, 1776.

### SECTION III.

Proceedings of the First Constitutional Convention of Pennsylvania, held at the State House, in Philadelphia, July 14, 1776, to September 28, 1776.

### SECTION IV.

The First Constitution of Pennsylvania.

#### SECTION I.

#### HISTORY OF THE CONSTITUTIONAL CONVENTION OF 1776.

The Constitutional Convention of 1776 was the outgrowth of the dissension between the conservative and reactionary parties in Pennsylvania politics, which had existed in various forms for many years, and was brought to a climax by the movement for national independence.

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This account of the Constitutional Convention of 1776 is an abridgement (by Artemus Stewart, Esq.), of an article by the late Paul Leicester Ford, entitled "The Adoption of the Pennsylvania Constitution of 1776," published in the Political Science Quarterly, Vol. 10, pp. 426-459. This article, so far as the editor has been able to discover, is the only modern publication dealing critically with the subject; and in several instances, where Mr. Ford's language did not admit of abridgement to any considerable degree, the article is here reproduced verbatim.

Under the association which was formed in opposition to the revenue laws of 1767, and which lasted for upwards of two years, committees were established not only in the capitals of every province, but also in most of the country towns and subordinate districts. These committees were not only kept up after that association was at an end, but were greatly revised, extended and reduced to system, so that when any intelligence of importance, of which it was deemed necessary to inform the people at large, reached the capital, it was at once sent to the county committees and by them forwarded to the committees of the districts, who disseminated it among the people. These committees were known as Committees of Correspondence.

When the news of the passage of the Boston Port Bill reached Pennsylvania, the reactionary, or "Popular" party, as it called itself saw in it an excellent opportunity of arousing the people of the province to the same resistance to the home government that had already manifested itself in the New England States and in Virginia, and while their first efforts to bring Pennsylvania into line with the other provinces did not bring about the results they desired, their next attempt was more successful. The project of holding a general congress was already being discussed, and the extreme Whigs saw in it their only hope. They, accordingly, called a mass meeting, which was attended by nearly 8,000 people, and at which resolutions declaring the Boston Port Bill unconstitutional were unanimously adopted. The meeting also voted an address to the Governor, asking him to convene the Assembly in order "to convince the pacific that it was not the intention of the warm spirits to involve the province in the dispute without the consent of the representatives of the people." To this address, the Governor replied "that he could not call the Assembly for the purposes mentioned, and that he was sure the gentlemen did not expect \* \* \* that he would."<sup>1</sup>

Upon the refusal of the Governor to convoke the Assembly, a call was issued to the county committees of correspondence throughout the province to name delegates to attend a "pro-

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<sup>1</sup> Charles Thomson's Narrative. Stille's Life of Dickinson, 344.

vincial conference" in Philadelphia, on July 15, 1774. The Governor, realizing the mistake he had made, issued warrants, summoning the Assembly to meet on July 18th, using an Indian outbreak as an excuse, with the hope of forestalling the conference. The conference met, however, and adopted "instructions" to their representatives in the Assembly "requesting" them to appoint delegates to attend the congress of deputies from the several colonies; and it was announced that if the Assembly failed to accede the conference would name delegates itself. These instructions were laid before the Assembly on July 20th,<sup>1</sup> and while that body would not have appointed delegates but for the knowledge that the conference would name them if the Assembly failed to do so, they made the best of a bad business, and the Speaker, Joseph Galloway, appointed five of the Assembly's most conservative members as delegates, allowing but one delegate to the Popular party.<sup>2</sup>

This action, however, failed to satisfy the people, and at the annual election for the Assembly in October, eight of the old members were defeated by candidates of the Popular party. One of these successful candidates was John Dickinson, who had been kept out of the Assembly for years by Galloway's influence, and who was now, by a unanimous vote, added to the Pennsylvania delegation in congress. But in spite of its success at the polls, the Popular party still found itself unable to bend the Assembly to its wishes, and even when the enthusiasm was strongest, an attempt to obtain a vote of the Assembly to enforce the resolves of the Congress was found to be hopeless. The best that could be done was to secure the passage of a unanimous resolution "approving the proceedings of Congress."<sup>3</sup>

Being unable to obtain what they wished by regular methods, the Popular party again resorted to an extra-constitutional body. A "provincial convention" was summoned, which met in Philadelphia, on February 18th, 1775, and adopted a series of resolutions drawn up by Dickinson, which would seem to indicate what the Popular party had attempted to carry in

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<sup>1</sup> Votes of Assembly, Vol. V, p. 519.

<sup>2</sup> Charles Thomson's Narrative. Stille's Life of Dickinson, 346.

<sup>3</sup> Votes of Assembly, Vol. VI.

the Assembly, extolling the action of Congress and pledging support to the association that had been established, and while the conservatives had so far been able to check the Popular party from prevailing on the people to prepare for war with the mother country, a resolution was adopted looking to the manufacture or procurement of saltpetre and gunpowder as "largely as possible," the Indian trade being used as a pretext.<sup>1</sup>

When the Assembly met on May 1st, 1775, the conflicts at Lexington and Concord had changed the complexion of affairs. The influence of the peaceful secretaries could no longer restrain the people. As soon as the collision between the royal troops and the colonial minute men became known, voluntary military "associations" for the defense of the colony and the "Liberties of America" were formed throughout Pennsylvania. The enthusiasm of the movement was enormous, and in three months 20,000 volunteers had enrolled themselves.

The Popular party, who regarded the Quakers and the Germans as Tories, or neutrals, saw in this military movement a weapon to be employed not only against Great Britain, but also against the believers in "non-resistance." A petition from the "Committee of the City and Liberties of Philadelphia" was presented to the Assembly, praying that the colony should be put in a state of self defense, and this was soon followed by another, begging that the associators should receive pay, and that the non-associators should be compelled to contribute to this expense, this suggestion being echoed in another petition from the officers of the associators. The Assembly, which dared neither to refuse nor to yield, hit upon the device of issuing bills of credit to pay the associators, and a bill for this purpose was passed, but was vetoed by the Governor. The Assembly then appointed a Committee of Safety, a body without the pretense of legality, and authorized it to issue bills of credit, giving it almost indefinite executive authority, and making it practically supreme through the control given it over the associators.<sup>2</sup> At the next meeting of the Assembly that body

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<sup>1</sup> Votes of Assembly, Vol. VI, p. 552.

<sup>2</sup> Votes of Assembly, Vol. VI, p. 593.

was overwhelmed with petitions from the more warlike-minded of the citizens, urging the adoption of some measure which would oblige every inhabitant of the province to contribute with either his person or his property to the general cause. Counter petitions from the Quakers and Germans were promptly laid before the Assembly, the membership of which was still largely Quaker and German, and which was unquestionably opposed to enforced military duty, and to the support of an armed force by general taxation. Knowing this, the associators laid before the Assembly what purported to be a petition in answer to the Quaker and German memorials, but which were practically orders to the Assembly. As the associators now numbered 20,000 organized troops and there was no one to oppose them (except the sects bound by their faith to non-resistance), the Assembly, knowing that if it would not do what was demanded, some other body more complaisant would be found, gave way, and just before adjournment passed an act "for levying taxes on non-associators.

This, however, far from appeasing the associators, only encouraged them to more stringent demands, and when the Assembly met again in February, 1776, it was met with a storm of petitions and complaints, all tending to the relief of the associators and the imposition of heavier burdens on the non-associators, such as increased taxes, the disarmament of the non-associators and the taking of an oath for exemption from military duty. Added to these was an urgent demand from the outlying counties for an increase in the number of members of Assembly, and these demands were re-enforced by a petition from a "great number of the inhabitants of Philadelphia." A new apportionment, adding seventeen members to the Assembly, was promptly made and an election was ordered.

These radical measures, however, injured instead of advancing the popular cause. The extremists had hoped to gain control of the Assembly at the election for the additional assemblymen, which was held on May 1st, 1776, but their wish for national independence was now understood, and this deprived them of the assistance of many who had hitherto supported

them, so that, instead of gaining, they lost strength in the Assembly. They, therefore, turned for assistance to the Continental Congress and to the associators.

On May 6, or as soon as the result of the election was known, John Adams made a motion in Congress, that it be recommended to the several assemblies and conventions of these United Colonies, who have limited the powers of their delegates in this Congress by any express instructions, that they repeal or suspend those instructions for a certain time, that this Congress may have power, without any unnecessary obstruction or embarrassment, to concert, direct and order such further measures as may seem to them necessary for the defense and preservation, support and establishment of right and liberty in these colonies.<sup>1</sup>

This resolution was at once referred to the committee of the whole, where, after a heated debate, it was negatived. Defeated in this, Adams and Lee framed another motion:

Whereas It appears absolutely irreconcilable in reason and good conscience for the people of these colonies now to take the oaths and affirmations necessary for the support of any government under the crown of Great Britain and it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed and all the powers of government exerted under the authority of the people of the colonies for the preservation of internal peace, virtue and good order, as well as for the defence of their lives, liberties and properties against the hostile invasions and cruel depredations of their enemies; therefore,

Resolved, That it be recommended to the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs hath been hitherto established, to adopt such government as shall, in the opinions of representatives of the people best conduce to the happiness and safety of their constituents in particular, and America in general.<sup>2</sup>

Though no one doubted the purpose of the motion, and it was

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<sup>1</sup> Notes of John Adams, Vol. II, p. 489.

<sup>2</sup> Journals of Congress, May 15, 1776.

strongly protested against, as beyond the power of Congress, it was carried by a vote of seven colonies to four and was immediately published.

On February 28th, 1776, the committee of Philadelphia had voted to summon a convention to meet on April 2d, but on March 4th, by advice of the Committee of Correspondence, the call was "suspended for a few days." However, after the publication of the above resolution of Congress the project was renewed, and on May 16th a meeting attended by "a number of persons" concluded to call a convention with speed, and "to protest against the present assembly's doing any business in their house until the sense of the province was taken in the convention to be called." In order to effect these purposes, the meeting requested the "committee of inspection and observation of the city of Philadelphia" that "a general call be made of the inhabitants of the city and liberties in order to take the sense of the people." This request was agreed to, with only five dissenting voices, at the meeting of the committee held on May 18th.

The meeting thus called was held in the State House yard on May 20th, and was attended, according to one estimate, by four thousand people. At this meeting it was unanimously voted that the instructions of the Assembly to the delegates in Congress ought to be repealed; that the present Assembly was unfit to frame a new government; that that body had no right to execute the resolves of Congress; that the present government was not competent to the present conditions, and that a provincial convention ought to be chosen by the people. The meeting also adopted, with but one dissenting voice, the protest framed on the 18th of May, by which the meeting of the committee renounced and protested against the "authority and qualification of the Assembly." These resolutions, together with a "remonstrance" largely signed by the Quakers, was laid before the new Assembly on May 21st, 1776, the day after it met. That body at once appointed a committee of its most conservative members to prepare a memorial to Congress on its resolve of May 15th, which it was understood would protest against the power of Congress to interfere in the local govern-

ment, and would claim for the Assembly the sole right of framing a new government, if such should be found necessary. This committee reported a draft of a memorial to Congress on May 24th, which was referred to further consideration, but was never heard of again. Meanwhile, to forestall the effect of the intended memorial, the committee of inspection and observation of Philadelphia met and drew up an address to the Congress, in answer to the remonstrance "That was or is intended to be sent from the Assembly." This address was laid before Congress on May 25th, and was promptly tabled, though a copy was given to Robert Morris to lay before the Pennsylvania Assembly, which he did on May 28th.

The condition of the province, therefore, on June 1st, 1776, was as follows: The apparent government of Pennsylvania was a Committee of Safety and the Assembly, supported by a clear majority of the people, but a majority composed for the most part of non-resistants. Opposed to this government were the militant members of the city of Philadelphia and the outlying counties, with the associators, the galleys and a coming self-constituted convention of unknown potentialities to support them. And the old government could not well claim any superior right, legally or otherwise, over the new government that was looming up. Though the Assembly was the legitimate successor of ninety similar assemblies, it had broken the old charters by disregarding the Governor, by creating the Committee of Safety as an executive in his place, by discontinuing the oath necessary under the charter for its own legal existence, and by numerous minor infringements. It was, therefore, in no position to carry measures with a high hand, and not only did it drop the idea of memorializing Congress, but it made several concessions to the Popular party.

These concessions, however, were futile. On June 4th, the Congress, in an apparently harmless resolution concerning the appointment of some brigadier generals, directed that those from Pennsylvania and Maryland "be appointed by the respective colonies." The usual form hitherto had been that they be appointed by the "assemblies or conventions" of the respective colonies, and the omission of these words was practically



a refusal by Congress to recognize the Assembly as the legal government of Pennsylvania. This resolution was laid before the Assembly on June 5th, and that body at once surrendered to the Popular party by appointing a committee to report new instructions to the delegates in Congress. But the Popular party saw, in the continued existence of the Assembly a bar to their schemes for a convention and a new constitution, and, therefore, before the new instructions could be adopted by a formal vote, they took steps to destroy the Assembly, by withdrawing and thus leaving it without a quorum. On June 10th, when the Assembly met, but nineteen members were present. For a few days a varying number met only to adjourn. After four days, despairing of obtaining a working attendance, the thirty-five members present, on June 14th, voted (thirteen in the negative) the new instructions and a severe report on the captains of the galleys. But the Popular party was in no mood to allow the Assembly to retain even the semblance of power, and on the same day two protests, one from the "board of officers of the five battalions of Philadelphia," and the other from the "committee of privates of the military association," declaring practical independence of the Assembly, were laid before the latter. That body, after passing a resolve "that they are earnestly desirous of carrying into execution the resolutions of Congress \* \* \* (but) despair after repeated disappointments of procuring a quorum," adjourned to August, thus yielding the field to the convention.

Meanwhile, as a preliminary to the convention there met in Philadelphia, on June 8th, a "provincial conference of committees," being delegates from each county committee of inspection. These committees, except that for Philadelphia county, were made up of the Popular party, and the members sent to the conference, of course, represented that faction. Promptly after reorganizing they resolved unanimously that the present government of Pennsylvania was "not competent," and that it was necessary that a convention should be called for the "express purpose" of framing a new one. Their next act was to throw open the franchise in favor of their own party by voting that in the coming elections every associator of twenty-

one years of age, who had been one year in the colony and had paid or been rated for taxes, should be entitled to vote, at the same time narrowing the franchise for their opponents by resolving "that every person entitled to vote for representatives" should be equally entitled to vote for members of the convention, provided "he should take the following test, or oath of affirmation:"

I, \_\_\_\_\_, do declare that I do not hold myself bound to bear allegiance to George the Third, King of Great Britain, etc., and that I will not by any means, directly or indirectly, oppose the establishment of a free government in this province by the convention now to be chosen, nor the measures adopted by the Congress against the tyranny to be established in these colonies by the court of Great Britain.

Such an oath practically disfranchised every Quaker in the colony, as well as all who still held allegiance to George III, or to the Penn charter, and deducting these three classes from the conservatives was almost equivalent to disfranchising that party. But, as if this were not sufficiently certain, the conference next voted that all members of the convention, before taking their seats, should forswear allegiance to the English king, swear to promote the most effectual means to establish a government in the province "on the authority of the people alone," and should declare their belief in the Trinity and in the Divine inspiration of the Scriptures. July 8 was set for the election of the delegates, and after some wrangling over the basis of representation the other details were arranged.

The convention having been arranged for, the conference next turned to the present affairs of the colony. They first passed a resolution that the convention when met should choose a new Committee of Safety and new delegates to the Continental Congress. They then took up the resolutions of the Congress, which the Assembly had declared themselves unable to act upon, and recommended the "committee and associators" to execute them, thus striking another blow at the already toppling Committee of Safety. Even more important was the action of the conference on June 24th in passing a unanimous declaration of their "willingness to concur in a vote of the

Congress declaring the united colonies free and independent states." Then, on June 25th, the conference dissolved.

On July 8th the elections for the members of the Convention were held. In no case did the conservatives attempt either to vote or to stand for membership, and the nominees of the Popular party, most of whom had been agreed upon at previous meetings, were elected without opposition. Seven days later, on July 15th, the convention met and organized, with Franklin as President.

Instead of proceeding at once to the framing of a constitution, the convention, though called for the "express purpose," first set itself to regulating the affairs of the colony, as if both an executive and legislative body. After taking the oath of office, the convention began to give orders concerning munitions of war, the movements of associators and, finally, for a disarmament of non-associators. Two days after its first assembling, it went even further, by appointing a committee to draw an ordinance for the latter purpose, and this was quickly followed by the appointment of similar committees to frame ordinances concerning treason, prisoners, counterfeiting, courts and other matters. Laws limiting freedom of speech and of the press, making state and continental currency a legal tender, regulating the prices of goods and providing for a general jail delivery were quickly enacted. Determined that nothing of the old government should remain, a new and radical Council of Safety was appointed, and a new delegation to Congress named, though the term of the delegation then holding office did not expire for over three months. The new delegation took their seats without opposition, July 20th, and on the 22d the new Council of Safety met. The last vestige of the old government, except the adjourned and scattered Assembly and a governor disregarded by all, was destroyed. The conservatives offered no opposition, and the Popular party seemed to have grasped all the governmental powers of the community.

These manifold occupations naturally delayed the drafting of a new constitution, if, indeed, the convention did not purposely prolong the work so as to retain the powers it had grasped. A new constitution would mean a new election, and

the extremists very well knew that this would mean a defeat for their party. So greatly did they dread an appeal to the voters, that they even adopted a resolution continuing the old Committee of Inspection and Observation for the City of Philadelphia in office beyond the annual election day, for fear of defeat in what had hitherto been the stronghold of the Popular Party. It was openly charged that the convention had no intention of adjourning, but having obtained a firm seat in the saddle, was resolved to maintain its position.

Events, however, were not working favorably for such a purpose. The movements of the British forces at New York caused the need of the Pennsylvania Associators at that place, and the convention, being the government de facto, was called upon by Congress to order them there. Such an order was naturally unpopular, for it was the middle of the farming season, and calling the men from the fields caused grumbling in the force which was the mainstay of the Popular party, while, at the same time, by their departure, the conservatives were left everywhere in relatively great preponderance, and were freed from the restraint which resulted from the presence of troops. Refusals to obey the orders of the Convention and the Council of Safety begun to multiply. Persons declined tenders of paper money, and sold goods at their own prices. Desertions from the associators became numerous. Some companies and individuals refused to march to Washington's assistance, on the ground that they would not bear the burdens of service while the non-associators remained tranquilly at home. To meet this reasoning, an ordinance was passed taxing every non-associator twenty shillings per month, and four shillings in the pound on his ratables. But before this became a law the American forces had been defeated on Long Island, and New York city was in the hands of the British. Those who chose, therefore, declined to pay these taxes. The officers of the galleys refused to obey the commodore whom the Council of Safety had appointed, and though the Council published an address upholding the commodore and blaming the "dangerous spirit of licentiousness" displayed in the mutiny, it nevertheless had to give way and name a new commander

A serious riot took place in Philadelphia. Three battalions of the associators mutinied and returned to the city. Others refused to embody and march. The opposers of independence and the convention spoke openly against both. So marked was the reaction that the old Assembly, which had tried to meet in August according to its adjournment but had failed to obtain a quorum, now (September 26th) again gathered, and though still without a quorum proceeded to transact business. It declared that the convention possessed no right to pass ordinances and recommended a refusal to obey them. Further, a year's salary was voted to the governor, thus indicating an intention to keep in existence all the machinery of the old government.

These various events decisively indicated to the convention that it could no longer remain the government *de facto* of the state, and it, therefore, hastened to frame a constitution. Had it possessed a membership open to concession and compromise, there seems little doubt that a frame of government could have been adopted that would have united the people, for there is good evidence that the conservatives had, in July, acquiesced in the movement for a new government, or rather that the party had split, and that, while many of the Quakers still clung to the old charter, the larger portion of the party, under the leadership of Dickinson, Reed, Morris and other moderate Whigs, had become convinced that the former government was ended, and were only seeking to obtain the best possible in its stead. In the middle of July Dickinson himself printed an *Essay of a Frame of Government for Pennsylvania*, and when the convention ordered its draft of a Bill of Rights printed "for consideration," a copy was given to Dickinson, and certain alterations that he made in it were accepted by the convention.

The controlling spirits of the convention, however, were too extreme and radical to understand that democratic government must consist of compromises. They saw in the opportunity to frame a new constitution a chance to retain control in their own hands, and in an endeavor to realize this they produced a most interesting result. That the government

would be democratic was assured not merely by the extreme democracy of the old charter, but also by the personnel of the convention. But no constitution yet framed had ever made such great strides toward popular government. The one-chamber legislature and the annual election were hardly the work of the convention, for they were merely transferred from the Penn charter; having yielded such admirable results in the past, it is not strange that they were grafted into the new instrument. But great departures were made in other respects. All the freemen were constituted as a militia, with the right to elect their own officers. The qualifications for the electoral franchise were such as practically to establish manhood suffrage. Sessions of the Assembly were made public, and its proceedings ordered printed weekly. All bills were to be "printed for the consideration of the people" before they went to a third reading, and, except on "occasion of a sudden necessity," no bill was to become law till the session of the Assembly after that in which it originated, thus practically establishing a referendum. Apportionment of representation was made dependent on "taxable inhabitants." The council was elective by the people, as was much of the judiciary. Judges' commissions were limited to seven years. Imprisonment for debt was abolished. Citizenship was granted on one year's residence. Public schools were ordered established. A septennial council of censors was created, with power to examine all infringements of the constitution and to call a convention to revise it. Only by a study of the other constitutions adopted at that time can the radical character of these provisions be properly understood.

How far the constitution framed by the convention would have met with opposition on its own merits cannot be known. Although the vote of the convention "to pass and confirm" was declared to have been unanimous, there is conclusive evidence to show that a dissenting party existed, and, if the statement of the journal is correct, the explanation must be that the dissentients withdrew before the final vote. But the opposition was caused not so much by the constitution itself as by the endeavor of the extremists in the convention to prevent a fair

election by requiring, as a preliminary to voting, not merely an oath of allegiance, but also an oath embodying a pledge not to do, "directly or indirectly, \* \* \* any acts or thing prejudicial or injurious to the constitution or government \* \* \* as established by the convention." By this requirement, with a like oath from all officers before taking office, the extremists designed to disfranchise and disqualify for office the larger part of their opponents.

On this question of the oaths, then, on certain clauses in the constitution, and on the ordinance to tax non-associators, the convention was divided. The extreme party carried out their policy, and the more moderate section, after resisting, withdrew before the final vote. When, therefore, the convention adopted the constitution, and adjourned, September 28th, 1776, a marked shifting of political lines occurred by a coalition of the dissentients with the conservative party. The extremists, already hitherto in the minority, were by this change reduced to apparent insignificance as a political force. Arrayed against them were all the Quakers, the Germans, the moderates, and even a large part of the associators, led by Dickinson, Mifflin and Morris, of the old party, and by Bayard and McKean, who had hitherto been most active with the extremists. The test oath was, therefore, the only hope of the Popular party, or "constitutionalists," as they were promptly named, in the approaching election for an Assembly under the new constitution.

The constitution was greeted with an almost universal protest. The papers were filled with attacks upon it, and resolutions opposing it were adopted in many public meetings. The most important of these meetings was held at Philadelphia, October 21st. On this occasion, fifteen hundred people were estimated to have been present, and after a discussion by speakers both for and against the new government, the assemblage adopted, by a "large majority," a series of resolutions which we may take to represent the wishes of the Whig opposers of the constitution. These recognized the coming election as legal, but declared that no oaths must be administered either to electors or elected, that no councilors should be chosen, that the Assembly elected must have full power to amend the consti-

tution, as well as to pass such ordinances as occasion required, and, finally, that the constitution so amended should be submitted to the vote of the people. To carry out these resolves committees were appointed by the meeting to secure support for them in every county of the state.

The election was held November 5th. Unquestionably the Quakers refused to vote, and a large class of conservatives seem to have done the same. The contest, was, therefore, one between the constitutionalists and the moderate Whigs. Owing to this shifting of party lines, the exact results are difficult to obtain. Of the seventy-two assemblymen elected only twenty-five had been members of the convention, and some of these had unquestionably become opposers of the constitution. From some counties not an extremist was elected. In Philadelphia all the anti-constitution nominees were elected by majorities of over one hundred in total votes of about seven hundred. On the question, "No Councilors," in which the personal element could play no part, the vote stood 406 to 211. Equally sweeping was the victory in Philadelphia county. Had the Quakers and ultra-conservatives voted, it is to be questioned if the constitutionalists could have carried a single nominee east of the Susquehanna river.

The effect of the election was quickly shown in the call for a public meeting in Philadelphia on November 8th for the purpose of instruction the representatives of the city. The instructions adopted directed them to "prevent the immediate execution" of a constitution "which destroys the great objects of equal liberty and free government," and to secure its amendment by dividing the legislative department, giving judges a tenure during good behavior, abolishing the council of censors, and doing away with the obnoxious test oaths. When, therefore, the Assembly gathered for the session to begin November 28th, Dickinson, who had been chosen a member, submitted to the opposition an informal proposition for a program:

We will consent to the choice of a speaker, to sit with the other members, and to pass such acts as the emergency of public affairs may require, provided that the other members will agree to call a free convention for a full and fair representation



of the freemen of Pennsylvania, to meet on or before the —— day of January next, for the purpose of revising the constitution formed for the late convention, and making such alterations and amendments therein as shall by them be thought proper, and making such ordinances as the circumstances of affairs may render necessary; provided, also, that no part of the said constitution be carried into execution by this Assembly, and provided that this Assembly shall be dissolved before the day to be appointed for the meeting of the convention.

The outcome of this proposition may be told in Dickinson's own words:

This proposal was rejected. The behavior of some persons on that day, and the disagreeable circumstance of entering into contests scarcely to be avoided with gentlemen I had for a long time esteemed, added to what had passed before, induced me to decline any further opposition to the constitution, and I retired from the Assembly.

Dickinson's withdrawal was imitated by others. The Assembly had barely organized when it found itself without a quorum. The moderate Whigs had taken a leaf from the book of the extremists, and were using the same means to end the present Assembly that had been formerly employed to end that under the old charter. While the British, under Howe, were sweeping across New Jersey, with Philadelphia as their evident goal, the Assembly met day after day only to remain helpless and inactive. Finally, the paralysis of all government in the state compelled the Continental Congress to interfere. The city was declared under martial law, and General Putnam was put in command. Word also was sent to the Assembly that "if they did not agree to act," the Continental Congress "would take the government of Pennsylvania into their hands." This marked the abandonment for the time of opposition to the constitution. Some absenting members returned to the Assembly; others resigned their seats, and their places were filled at special elections, at which councilors were also appointed. Early in March, 1777, the government completed its organization. Yet it was never recognized by the larger part of the people, though the leaders of the opposition, from public spirit,

laid aside their personal dislike and later in the war held office under it. But opposition never ceased till a new convention was voted in 1789, and the struggles of the two parties during the interverning period rent the people into bitterly hostile factions and paralyzed all public spirit and exertions.

## SECTION II.

PROCEEDINGS OF THE PROVINCIAL CONFERENCE HELD AT CARPENTER'S HALL FROM JUNE 18, 1776, to JUNE 26, 1776.

Philadelphia, Tuesday, June 18, 1776.

This day a number of gentlemen met at Carpenter's Hall, in Philadelphia, being deputed by the committees of several of the counties of this province, to join in provincial conference in consequence of a circular letter from the committee of the city and liberties of Philadelphia, inclosing the resolution of the Continental Congress of the 15th of May last.

Col. McKean, as chairman of the city committee, declared the motives which had induced that committee to propose the holding of the present conference, and then laid on the table a certificate of deputies appointed to attend on the part of said committee.

Returns were also given in from the counties of Philadelphia, Bucks, Chester, Lancaster, Berks, Northampton, York, Cumberland, Bedford and Westmoreland, by the deputies of said counties, by which it appeared the following gentlemen were appointed, viz.:

For the Committee of the City, &c., of Philadelphia.

Dr. Benjamin Franklin,*	Capt. Joseph Moulder,
Col. Thomas M'Kean,	Mr. William Lowman,
Mr. Christopher Marshall, Sen.,	Dr. Benjamin Rush,
Major John Bayard,	Mr. Christopher Ludwig,
Col. Timothy Matlack,	Mr. James Milligan,
Col. Joseph Dean,	Mr. Jacob Schrinier,
Capt. Francis Gurney,	Capt. Sharp Delaney,
Major William Coates,	Major John Cox,
Mr. George Schlosser,	Capt. Benjamin Loxley,

Capt. Jonathan B. Smith,	Capt. Samuel Brewster,
Capt. George Goodwin,	Capt. Joseph Blewer,
Mr. Jacob Barge,	Mr. William Robinson.
Mr. Samuel C. Morris,	

All the members attended except those marked with an \*.

For the Committee of Philadelphia County.

Col. Henry Hill,	Major James Potts,*
Col. Robert Lewis,	Major Robert Loller,
Dr. Enoch Edwards,	Mr. Joseph Mather,
Col. William Hamilton,*	Mr. Matthew Brooks,
Col. John Bull,	Mr. Edward Bartholomew.*
Col. Frederick Antis,	

For the Committee of Bucks County.

John Kidd, Esq.,	Mr. James Wallace,
Major Henry Wynkoop,	Col. Joseph Hart.
Mr. Benjamin Segle,	

For the Committee of Chester County.

Col. Richard Thomas,	Col. William Montgomery.
Major William Evans,	Col. Hugh Lloyd,
Col. Thomas Hockley,	Richard Reiley, Esq.,
Major Caleb Davis,	Col. Evan Evans,
Elisha Price, Esq.,	Col. Lewis Grono,
Mr. Samuel Fairlamb,	Major Sketchley Morton
Capt. Thomas Levis,	

For the Committee of Lancaster County.

William Atlee, Esq.,	Capt. Andrew Graaf,
Mr. Lodowick Lowman,	Mr. William Brown,
Col. Bartram Galbraith,	Mr. John Smiley,
Col. Alexander Lowrey,	Major James Cunningham
Major David Jenkins,	

## For the Committee of Berks County.

Col. Jacob Morgan,	Col. Daniel Hunter,
Col. Henry Haller,	Col. Valentine Eakerd,
Col. Mark Bird,	Col. Nicholas Lutz,
Mr. Bodo Otto,	Capt. Joseph Hiester,
Mr. Benjamin Spiker,	Mr. Charles Shoemaker.

## For the Committee of Northampton County.

Robert Levers, Esq.,	Nicholas Depue, Esq.,
Col. Neigal Gray,	Mr. David Deshler,
John Weitzel, Esq.,	Mr. Benjamin Dupue.

## For the Committee of York County.

Col. James Smith,	Col. William Rankin,
Col. Robert M'Pherson,	Col. Henry Slagle,
Col. Richard M'Allister,	Mr. James Edgar,
Col. David Kennedy,	Mr. John Hay.*
Capt. Joseph Reed,	

## For the Committee of Cumberland County.

Mr. James M'Lane,	Dr. John Colhoon,
Col. John Allison,*	Mr. John Creigh,
John M'Clay, Esq.,	Mr. Hugh M'Cormick,
William Elliot, Esq.,	Mr. John Harris,
Col. William Clark,	Mr. Hugh Alexander.

## For the Committee of Bedford County.

Col. David Espy,	Col. John Piper.
Samuel Davidson, Esq.,	

## For the Committee of Westmoreland County.

Mr. Edward Cook,	Mr. James Perry.
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A quorum of the members from the above counties being met, except that only two appeared from Chester county, proceeded to the choice of a president, vice-president, and two secretaries, and Col. Thomas M'Kean was chosen president; Col. Joseph Hart, vice-president; Johnathan B. Smith, Samuel C. Morris, secretaries.

Then the conference adjourned to three o'clock P. M.

June 18, 1776, 3 o'clock P. M.

The conference met, present as above, and adjourned to nine o'clock to-morrow morning.

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Wednesday, June 19, 1776.

The conference met, present 12 committees, 97 members. A return was delivered at the table from Northumberland, and the deputies attended, being Col. William Cook, Alexander Hunter, Esq., Messieurs John Weitzel, Robert Martin, Matthew Brown, as did those also from Chester.

On motion, it was resolved unanimously, That in taking the sense of this conference on any question which may come before them, the city and counties respectively have only one vote.

On motion, it was ordered, That the resolution of the Continental Congress of 15th May last, recommending the total suppression of all authority under the King of Great Britain, &c., be read, and it was read accordingly, and is in the words following, viz.:

In Congress, May 15, 1776.

Whereas, His Britannic Majesty, in conjunction with the lords and commons of Great Britain, has, by a late act of parliament, excluded the inhabitants of these united colonies from the protection of his crown. And Whereas, No answer whatever to the humble petitions of the colonies for redress of grievances and reconciliation with Great Britain has been, or is likely to be given, but the whole force of that kingdom, aided by foreign mercenaries, is to be exerted for the destruction of the good people of these colonies. And Whereas, It appears absolutely irreconcilable to reason and good conscience, for the people of these colonies now to take the oaths and affirmations necessary for the support of any government under the crown of Great Britain; and it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed, and all the powers of government exerted under the authority of the people of the colonies for the preservation of internal peace, virtue and good order, as well as for the defence of

their lives, liberties and properties, against the hostile invasions and cruel depredations of their enemies; therefore,

Resolved, That it be recommended to the respective assemblies and conventions of the united colonies, where no government sufficient to the exigencies of their affairs has been hitherto established to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.

By order of the Congress.

JOHN HANCOCK,  
President.

By special order the same was read a second time, and after mature consideration,

Resolved, unanimously, That the said resolution of Congress of the 15th of May last, it fully approved by this conference.

On motion, Resolved, unanimously, That the present government of this province is not competent to the exigencies of our affairs.

On motion, Resolved, unanimously, That it is necessary that a provincial convention be called by this conference for the express purpose of forming a new government in this province on the authority of the people only.

Resolved, unanimously, That a committee be appointed to ascertain the number of members of which the convention ought to consist and the proportion of representatives for the city and each county, and that two members from the city and each county, be appointed on said committee, except from Westmoreland, which can furnish but one, and the following gentlemen are appointed, viz.: Messieurs Bayard, Bull, Kidd, Davis, Atlee, Bird, Matlack, Mather, Hart, Levis, Cunningham, Haller, Gray, Smith, McClean, Espey, Weitzell, Cook, Levers, McAlister, Creigh, Piper, Hunter.

Resolved, That the committee now appointed be instructed to fix upon some number, not less than ninety, nor more than one hundred and ten, for the whole province. Then the conference adjourned to half after three o'clock P. M.

June 19, P. M.

The conference met.

A petition from the German associators of the city and liberties of Philadelphia was read, praying that all associators who are taxables may be entitled to vote. Ordered to lie on the table for perusal of the members.

On motion, Resolved, unanimously, That this conference will now enter into a consideration of the qualifications of electors and of persons who may be elected.

Resolved, unanimously, That this conference will immediately resolve into a committee of the whole to enter upon said consideration.

The president left the chair.

The president resumed the chair.

Col. Hart reported from the committee of the whole that they had come into two resolutions, which he was ready to report when the conference would receive them.

Ordered, That they be received forthwith. Then the said resolutions being read and considered were agreed to by the conference without one dissenting voice and are as follows, viz.:

Resolved, That every associator in the province shall be admitted to a vote for members of the convention in the city or county in which he resides, provided such associator be of the age of twenty-one years and shall have lived one year in this province immediately preceding the election, and shall have contributed at any time before the passing of this resolve to the payment of either provincial or county taxes, or shall have been rated or assessed towards the same.

Resolved, That every person, qualified by the laws of this province to vote for representatives in Assembly shall be admitted to vote for members of the intended convention, provided he shall first take the following test, on oath or affirmation, if thereunto required by any one of the judges or inspectors of the election who are hereby empowered to administer the same:

“I, \_\_\_\_\_, do declare that I do not hold myself bound to bear allegiance to George the Third, King of Great Britain, &c., and that I will not, by any means, directly or in

directly, oppose the establishment of a free government in this province by the convention now to be chosen, nor the measures adopted by the Congress 'against the tyranny attempted to be established in these colonies by the Court of Great Britain."

Ordered, That the committee of the whole have leave to sit this afternoon at three o'clock.

Then the conference adjourned to three o'clock this afternoon.

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June 20, 1776, P. M.

The conference met.

On motion, Resolved, unanimously, That whereas the county of Westmoreland hath been exempted from the payment of taxes for three years last past, and thereby many persons may be excluded from a vote at the ensuing election in consequence of the foregoing regulations contrary to the intention thereof, therefore every person of twenty-one years of age, being a free man residing in said county, shall be admitted to vote, he being an associator and having lived one year in this province next preceding the election, and taking the test aforesaid, if thereunto required.

Resolved, unanimously, That the election shall be made by ballot in the manner heretofore used in this province at the general elections.

Resolved, unanimously, That no person who has been published by any committee of inspection, or the committee of safety in this province, as an enemy to the liberties of America, and has not been restored to the favor of his country shall be permitted to vote at the election of members for said convention.

The conference then adjourned to eight o'clock to-morrow A. M.

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Friday, June 21, 1776.

The conference met.

On motion, Resolved, unanimously, That every voter, at the proposed election, shall be a free man, and if thereunto required



by any of the judges or inspectors shall, before his vote is received, take the foregoing test.

Resolved, unanimously, That any person qualified to vote for members of Assembly, by the laws of this province, may be elected a member of convention, provided that he shall have resided at least one year immediately preceding the said election in the city or county for which he shall be chosen, and shall, before he takes his seat in convention, take the following oath or affirmation, viz.:

“I, \_\_\_\_\_, do declare that I do not hold myself bound to bear allegiance to George the Third, King of Great Britain, &c., and that I will steadily and firmly at all times promote the most effectual means according to the best of my skill and knowledge, to oppose the tyrannical proceedings of the king and parliament of Great Britain against the American colonies and to establish and support a government in this province on the authority of the people only, &c. That I will oppose any measure that shall or may in the least interfere with or obstruct the religious principles or practices of any of the good people of this province as heretofore enjoyed.”

Also Resolved, That no person elected to serve as a member of convention, shall take his seat or give his vote, until he shall have made and subscribed the following declaration:

“I, \_\_\_\_\_, do profess faith in God the Father and in Jesus Christ his eternal Son, the true God and in the Holy Spirit, one God blessed for evermore, and do acknowledge the holy scriptures of the old and new testament to be given by divine inspiration.”

An address and petition from the commanders of the thirteen row galleys in the service of this province, praying to be heard on a difference with the committee of safety, was presented at the table and read.

Ordered to lie on the table for the perusal of the members.

Resolved, That Messrs. Moulder, Lollar, Wallace, Hockley, Lowry, Eackard, B. Dupue, McPherson, Clarke, Davidson, Cook and Perry to be a committee to consider of the proper time, place and manner of holding and regulating the ensuing elec-

tion, and to fix a day for the meeting of the representatives of the people so chosen.

A memorial from the patriotic society of the city of Philadelphia was delivered at the table by a committee from said society, and read by their clerk on special request.

Ordered to lie on the table for the perusal of the members.

The conference adjourned to three o'clock P. M.

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June 21, 1776, P. M.

The conference met.

The committee appointed to ascertain the number and proportion of members to represent the province, and each particular city and county in convention, made their report in the words following, viz.:

The committee appointed for, &c., report, that your committee, having conferred together, and endeavored to obtain the best intelligence that can be had, find that full information respecting the number of taxables in each county cannot now be had; and, therefore, cannot be adopted as a rule in fixing the number of representatives for the city and counties respectively; your committee, however, are satisfied that the number of taxables in the counties respectively does not differ so much as to make it of any probable disadvantage to allow an equal representation from each county, especially as the convention will probably vote by city and counties (as in the preceding conventions), upon the questions which shall come before them.

We, therefore, recommend that it be resolved that eight representatives be sent by the city of Philadelphia, and eight by each county in the province, to the convention. On motion, that the inhabitants of the city be divided from the county of Philadelphia, and that they be not admitted to vote, or be voted for, in the election of the county members for the convention.

It was moved that the previous question be put, viz.: Whether this question shall now be put?

And it was put accordingly and carried in the negative.

Resolved, That this conference approve of the report of the committee.

The conference the adjourned to eight o'clock to-morrow A. M.

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Saturday, June 22, 1776, A. M.

The conference met.

On motion, Resolved, unanimously, That the determinations of this conference on the representation of the city and of the county of Philadelphia shall not be drawn into precedent in the future.

An address from the committee of privates of the association of the city and liberties of Philadelphia, was delivered in and read, praying this conference to take into their consideration divers matters relating to the present state of this province.

Ordered to lie on the table for the persual of the members.

On motion, ordered, That the petitions and addresses from the commanders of the row gallies, the patriotic society and the committee of privates of the association of the city and liberties of Philadelphia be read a second time, and they were read accordingly.

A paper, being a copy of a minute from the proceedings of the committee of safety of this province, was read, and is in the words following, viz.:

In Congress, June 20th, 1776.

Robert Morris, one of the delegates from the province of Pennsylvania, reminded the Congress that the Assembly of said province had adjourned on the 14th inst., without having been able to carry into execution the resolves of Congress of the 3d inst., for raising 6,000 militia for establishing a flying camp. And then informed the Congress that their said resolve not being directed in terms to the committee of safety, but addressed to the colony, the said committee were in doubt whether it would be expected from them to execute said resolve, as they are, in recess of Assembly, the executive body of this

province. He also alleged that if the Congress expected the committee to proceed in this business, it would be necessary or advisable that they should recommend it expressly to them, for under the present circumstances of the province he much doubted if they would be obeyed unless so authorized, and added that if the Congress did not see proper to take further order in this matter, he hoped the committee of safety would always be held blameless, as they now gave Congress this necessary information for the express purpose of having an explicit declaration, if they were expected to act in this important business, which they were ready to undertake if so desired. This application was made by Mr. Morris, by order of the committee of safety, and after a debate of a considerable length, and two motions made and seconded, one was withdrawn, the other determined in the negative; in consequence whereof I have made this memorandum immediately in the spot to appear when it may be necessary, and to prevent blame being cast where it is not merited.

R. MORRIS.

The above is a true state.

Joseph Hewes,  
E. Rutledge,  
T. Hope.

Resolved, unanimously, That the consideration of the said petitions and paper be referred to the afternoon.

The conference then adjourned to three o'clock P. M.

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June 22, 1776, P. M.

The conference met.

The committee appointed yesterday to consider of the proper time, place and manner of regulating the ensuing election, and to fix a day for the meeting of the representatives so chosen, made their report.

On motion, Resolved, That this conference will take into consideration the propriety of dividing all or any of the coun-

ties into several districts in which the election shall be held, when the said report shall be considered.

On motion, The said report being read a second time, by paragraphs, was, by order, recommitted.

The conference then adjourned to eight o'clock to-morrow.

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Sunday, June 23, 1776.

The conference met.

The committee appointed to consider of the proper time, &c., of holding the election, delivered their report at the table, which, being read by order, was unanimously agreed to by the house, and is in the words following, viz.:

The committee appointed to consider of the proper time, place and manner of holding an election for members of convention, and the time of the meeting of the persons so chosen, report as followeth: That they appoint Monday, the 8th day of July, next, for electing said members; that the several counties proceed to choose their respective members at the following places, viz.:

For the city and county of Philadelphia, the counties of Bucks, Berks and Bedford, at the usual places of election.

Chester county to be divided into three districts, that is to say:

Chester, Upper Chichester, Lower Chichester, Bethel, Ashton, Concord, Middleton, Thornbury, Birmingham, Nether Providence, Upper Providence, Ridley, Marple, Springfield, Darby, Haverford, Newtown, Edgemont and Willistown, being the first district, to be held at Chester.

The second district, London Grove, East and West Marlborough, Kennet, Pennsburgh, New Lynn, New Garden, London-Britain, New London, Londonderry, East and West Nottingham, Oxford, East Fallowfield, West Fallowfield, Sadsbury and West Caln, to be held at Chatham, commonly called the Half-Way House.

The third district, East and West Fallowfield, East and West

Bradford, Charlestown, Tredyffren, Uwchland, Pikeland, Coventry, East and West Nantmill, Goshen, Vincent, Radnor, to be held at the White Horse.

York county to be divided into five districts, viz:

The first Yorktown, the townships of York, Manchester, Codorus, Shrewsbury, Windsor and Hellam, to be held at the court house in Yorktown.

The second district, Cumberland, Hamilton's Ban. Streban, Mountjoy, Menallen and Tyrone, to be held at the house of Samuel Gaddis.

The third district, Heidelberg, Berwick, Mountpleasant, Manheim, Paradise and Germany, to be held at Hanover town.

The fourth division, Fawn, Hopewell and Chanceford, to be held at Nicholson's mill.

The fifth division, Dover, Newberry, Warrington, Mannahan, Huntingdon and Reading, to be held at the house of Robert Stevenson.

Northampton county to be divided into four districts:

The first, Easton, William, Lower Saucon, Bethlehem, Forks, Mount Bethel, Plainfield, to be held at Easton.

The second district, Northampton, Saltsberg, Upper Saucon, Upper Milford, Maccongy, Weisenberg, Lynn, Whitehall, Heidelberg, to be held at Allen's town.

The third district, Allen, Moore, Chestnuthill, Towamensing, Penn, Lehigh, to be held at Peter Anthony's.

The fourth district, Hamilton, Lower Smithfield, Delaware, Upper Smithfield, to be held at Nicholas Dupue's.

Cumberland county to be divided into three districts, viz.:

The first and third divisions, Carlisle, East Pennsborough, Allen, Middleton, West Pennsborough, Newton, Hopewell, to be held at Carlisle.

The second and fifth divisions, Antrim, Peters, Guilford, Hamilton, Thannet, Lurgan, Letterkenny, to be held at Chambersburg.

The fourth division, Tyrone, Toboyne, Rye, Milford, Greenwood, Armagh, Lech, Derry, Fermaugh, to be held at Robert Campbell's, in Tuscarora.

Northumberland county, to be held at George McCadlish's, in Turbert township.

Westmoreland county, to be divided into two divisions, that on the south side of Youghagena river, at Spark's fort, and northern district at Hannah's town.

The county of Lancaster, to be divided into six districts, viz:

In the first, the borough of Lancaster, Lancaster township, Leacock, Warwick, Manheim, Hempfield, Manor, Conestoga, Lampeter, to be held at the court-house in the borough of Lancaster.

The second division, Little Britain, Drummore, Bart, Cole-raine, Martick, Strasburgh and Sadsbury, to be held at James Porter's, Jun.

The third division, Derry, Londonderry, Ralpho, Donegall, Mountjoy, to be held at Elizabeth Town.

The fourth division, Salisbury, Carnarvon, Brecknock, Earl, Cocalico, to be held at New Holland.

The fifth division, Elizabeth, Heidelberg, Bethel, Lebanon, East Hanover, to be held at Lebanon town.

The sixth division, West Hanover, Paxton, Upper Paxton, to be held at Garber's Mill.

And that the electors of every borough, ward or township, in each of the counties, shall meet on Saturday, the 6th of July next, between the hours of two and six o'clock in the afternoon, and choose inspectors to receive the votes from the electors of their boroughs, wards or townships, respectively. The place for said electors to be advertised by the county committee, who shall also superintend such elections and make returns of the inspectors, chosen to the judges of the general election. And if any district shall neglect to choose inspectors as aforesaid, in such case the judges of the election shall appoint inspectors for those who so neglect on the morning of the day of the general election; and that each of the said inspectors, on the day of the general election, shall, before he proceeds to take or receive any votes, take the following oath or affirmation, viz.:

"I, A. B., do declare that I will duly attend the ensuing election during the continuance thereof, and will truly and

faithfully assist the judges of said election to prevent all frauds and deceits whatever of electors or others in carrying on the same, and in causing the poll or votes at such election to be marked off on the respective lists, and fairly cast up," which oath or affirmation to be administered by any one of the judges.

And the deputies from the city of Philadelphia, and from each county, shall nominate and appoint three discreet and able members of their respective committees residing within the several districts, to be judges of the general election within said districts; which said judges, together with the inspectors, shall appoint clerks for taking the polls at the said election; and the said judges and clerks shall respectively take the same oath or affirmation as is required to be taken by the inspectors, which shall be administered by any one of the judges to the others, they being hereby authorized and appointed to administer the same.

And that the commissioners of the city and counties in this province, when required, shall deliver unto the judges of said election, true duplicates of all the taxables in the several districts of their respective counties. And that the judges aforesaid shall, and are hereby empowered and required to act in all cases respecting said elections in the room and places of sheriffs, until the same are finished; and when the polls are closed and the votes counted off, or cast up, in the several districts of such counties as are divided as aforesaid, the judges and inspectors shall cause certified accounts thereof to be taken by some of them, to their respective county towns, on the next day, and of the names of the persons chosen in the several districts, with the number of votes for each candidate; which, when compared and added together, the eight highest numbers shall be the persons to represent such county in convention; and, also, that the judges, or any two of them, for the city and counties respectively, shall certify from under their hands and seals to the convention, on the day appointed for their meeting as aforesaid, a true list or certificate of the names of the members so chosen in the city and counties respectively, together with the number of votes for each of them. And the captains or commanding officer of each company in the several



battalions of this province, are hereby required to furnish complete lists of their companies to the judges and inspectors of the several districts, on the morning of the election. Which persons so chosen to be members of the convention shall meet at Philadelphia, on Monday, the 15th day of July next, in convention aforesaid.

Ordered, That the following gentlemen be appointed to be judges of the election in the counties and in the respective districts, viz:

City, &c., of Philadelphia.

Samuel Massey,  
Frederick Kuhl,  
Thomas Cuthbert.

County of Philadelphia.

William Coates,  
Frederick Antis,  
Robert Lollar.

Bucks County.

At Newtown:

Henry Wynkoop,  
James Wallace,  
Joseph Hart.

Chester County.

First Division, at Chester:

Hugh Lloyd,  
Thomas Levis,  
Mark Wilcox.

Second Division, at Chatham:

John McKay,  
Joseph Gardiner,  
Thomas Welsh.

Third Division, at the White Horse:

Richard Thomas,  
Lewis Grono,  
Thomas Bull.

## Berks County, at Reading.

Valentine Eakerd,  
Jacob Morgan,  
Daniel Hunter.

## Lancaster County.

## First Division at the Borough:

William Bowsman,  
H. Dehuff,  
Jacob Erb.

## Sec. Div., at James Porter's, Jun.:

Richard Ferree,  
John M'Mullen,  
Robert Tweed.

## Third Div., at Elizabeth-Town:

Daniel Elliot,  
Robert Clark,  
Jacob Haldiman.

## Fourth Division, at Lebanon:

Casper Kuhn,  
Jacob Eckart,  
Philip Greenawalt.

## Fifth Division, at New Holland:

J's McCamant,  
Gab. Davis,  
Michael Whitman.

## Sixth Division, at Garber's Mill:

John Rogers,  
John Harris,  
James Morrow.

## Cumberland County.

## First Division, at Carlisle:

Robert Miller,

Benjamin Blyth,  
James Gregory.

Second Division, at Chambersburg.

John Allison,  
James Maxwell,  
John Beard.

Third Division, at Robert Campbell's:

William Brown,  
Alexander Morrow,  
James Taylor.

York County.

First Division, at York-town:

Charles Lukens,  
John Hay,  
Michael Hayn.

Second Div., at Samuel Gaddis's:

William M'Clellan,  
John Agnew,  
James Dickson.

Third Division, at Hanover:

Joseph Jefferies,  
Thomas Lilly,  
Frederick Wolfe.

Fourth Div., at Nicholson's Mill:

James Leiper,  
Patrick Scott,  
James Savage.

Fifth Div., at Robert Stevenson's:

John Nesbit,  
James Nayler,  
William Mitchell.

## Bedford County.

At the usual place:

Samuel Davidson,  
James Anderson,  
William Todd.

## Northumberland County.

At George McCandlish's:

Thomas Hewit,  
William Shaw,  
Joseph Green.

## Westmoreland County.

First Division, at Spark's Fort:

George Wilson,  
John Kile,  
Robert McConnell.

Second Div., at Hannah's Town:

James Barr,  
John Moore,  
Clement M'Geary.

## Northampton County.

First Division at Easton:

Abraham Berlin,  
Jesse Jones,  
Jonas Hartzell.

Second Division, at Allens' Town:

John Gerhart,  
David Deshler,  
George Breinig.

Third Div., at Peter Anthony's:

Simon Dreisbach,  
Neigel Gray,  
Peter Anthony.

Fourth Division, at Nicholas Dupue's:

Robert Levers,  
Nicholas Dupue,  
Jacobus Vangarder.

Ordered, That Doctor Rush, the chairman, Colonel Hill, and Colonel Smith, prepare a draft of an address to the inhabitants of the province, and report to the conference.

Resolved, unanimously, That Messieurs Bayard, Bird and Smith, be appointed a committee to wait upon the chairman of the committee of safety, and desire a copy of all orders given to Captain Samuel Davidson, since his appointment as principal commander of the navy of this province, to be laid before this conference.

Resolved, unanimously, That it be recommended to the said convention to choose and appoint delegates or deputies to represent this province in the Congress of the united colonies; and also a council of safety, to exercise the whole of the executive powers of government, so far as relates to the military defence and safety of the province, and to make such allowance for the services of said delegates and council of safety, respectively, as shall be reasonable. Which said delegates and council of safety are to continue for six months, unless a new government shall be formed within that time, in which case their appointment is to cease.

The conference then adjourned to three o'clock P. M.

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June 23, 1776, P. M.

The conference met.

The gentlemen appointed to prepare a draft of an address to the inhabitants of this province, delivered at the table a draft, which was read. On motion, That divers resolutions of Congress, of 3d and 4th days of July, inst., requiring 10,000 of the militia of the colony of Pennsylvania, the government of the counties of New-Castle, Kent and Sussex on Delaware, and the colony of Maryland, be raised to form a flying camp, be read, the same were read accordingly, and are in the words following, viz.:

“In Congress, June 3.

“Resolved, That a flying camp be immediately established in the middle colonies, and that it consist of 10,000 men, to complete which number, Resolved, That the colony of Pennsylvania be requested to furnish of the militia, . . . . . 6,000  
 Maryland, . . . . . 3,400  
 Delaware government, . . . . . 600

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10,000

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“June 4th, 1776. Resolved, That it be recommended to the assemblies and conventions of the colonies requested to supply or furnish militia by the resolution of yesterday, to take particular care that the militia come provided with arms, accoutrements and camp kettles.

“Extract from the Minutes.

“CHARLES THOMPSON, Secretary.

“That three provincial brigadier generals be employed for the flying camp, two from Pennsylvania and one from Maryland. That the said brigadier generals be appointed by the colonies above mentioned. That the flying camp be under the command of such continental general officers as the commander-in-chief shall direct. That the militia, when service be regularly paid and victualled in the same manner as the continental troops.

“Resolved, That the militia be engaged to the first day of December next, unless sooner discharged by Congress.

“That the pay of the militia commence from the day of their marching from home, and that they be allowed one penny a mile, lawful money, in lieu of rations, for traveling expenses, and one day’s pay for every twenty miles, between home and the general rendezvous, going and returning.

“Extract from the Minutes.

CHARLES THOMPSON, Secretary.”

By special order the same were read a second time.

On motion, Ordered, That a resolution of the Assembly of this province of June 14th inst., in consequence of the foregoing requisition of Congress be read, and the same was read accordingly.

By special order the same was read a second time, and is in the words following, viz.:

“In Assembly, June 14, 1776.

“Resolved, By the members of Assembly now met, that they are earnestly desirous of carrying into execution the resolutions of Congress of 1st inst., but that as they despair, after repeated disappointments of procuring a quorum of the house, they find themselves unable at this time to proceed on said resolutions.

“Extract from the Minutes.

ABEL EVANS, Clerk.”

On motion, Ordered, That the copy of a minute from the proceedings of the committee of this province, entered on the journal of this conference on Saturday last be read, and it was read accordingly.

Whereas, It appears to this conference that the six thousand militia required of this colony by Congress, and agreed by the Assembly of this province to be raised are absolutely necessary for the defence and security of the thirteen united colonies: And Whereas, It appears that the requisition of Congress was made to the colony of Pennsylvania, and that the same cannot be complied with by the Assembly or committee of safety of this province, and that unless this conference, being the only representative body of this colony that can at this time with propriety interpose in this business, undertake to accomplish the desire of the Congress and of the Assembly in the premises, the aforesaid flying camp cannot be raised in due time; and the liberties and safety of this province, as well as of the other colonies may be thereby endangered. And Whereas, The militia of this province at first associated by the advice and under the authority of the committees of inspection and observation of the city and the several counties, therefore, Resolved, unani- mously, That this conference do recommend to the committees and associators of this province to embody 4,500 of the militia.

which, with the 1,500 men now in the pay of this province, will be the quota of this colony required by Congress.

Resolved, unanimously, That Messrs. Hill, Gurney, Hart, Montgomery, Morgan, Cunningham, Gray, M'Calister, McLean, Espy, Cook and Perry be a committee to devise ways and means for raising the said 4,500 men, and to enquire into all matters necessary to fit them for taking the field.

On motion, unanimously Ordered, That the chairman, Dr. Rush, and Col. Smith be a committee to draft a resolution declaring the sense of the conference with respect to an independence of this province from the crown and parliament of Great Britain, and report to-morrow morning.

Resolved, unanimously, That it be recommended to Commodore Samuel Davidson and to the captains of the row galleys, &c., to forbear to take any steps which may involve the fleet in confusion, and that they will wait the result of an interview which this conference intended to propose to the committee of safety, and that Messrs. Blewer, Levis, Bird, Loller and Colhoon be a committee to wait on those gentlemen on board their vessels to-morrow morning.

The committee appointed to wait on the chairman of the committee of safety reported that they had waited on George Clymer, Esq., according to order, and had delivered the message they had in charge, and that he said he would immediately call the committee and give an answer this afternoon.

The draft of an address, &c., was by order read a second time, and being considered and amended, was agreed to unanimously, and is in the following words:

#### THE ADDRESS OF THE DEPUTIES.

From the committees of Pennsylvania, Assembled in Provincial Conference, June 22, 1776.

To the people of Pennsylvania:

Friends and Countrymen: In obedience to the power we derived from you, we have fixed upon a mode of electing a convention to form a government for the province of Pennsylvania, under the authority of the people.



Divine Providence is about to grant you a favor which few people have ever enjoyed before, the privilege of choosing deputies to form a government under which you are to live. We need not inform you of the importance of the trust you are about to commit to them. Your liberty, safety, happiness and everything that prosperity will hold dear to them to the end of time, will depend upon their deliberations. It becomes you, therefore, to choose such persons only to act for you in the ensuing convention as are distinguished for wisdom, integrity and a firm attachment to the liberties of this province as well as to the liberties of the united colonies in general.

In order that your deputies may know your sentiments as fully as possible upon the subject of government, we beg that you would convey to them your wishes and opinions upon that head immediately after their election. We have experienced an unexpected unanimity in our councils, and we have the pleasure of observing a growing unanimity among the people of the province. We beg that this brotherly spirit may be cultivated, and that you shall remember that the present unsettled state of the province requires that you should show forbearance, charity and moderation to each other. We beg that you would endeavor to remove the prejudices of the weak and ignorant, respecting the proposed change in our government, and assure them that it is absolutely necessary to secure property, liberty and the sacred rights of conscience to every individual in the province. The season of the year and the exigencies of our colony require dispatch in the formation of a regular government. You will not, therefore, be surprised at our fixing the day for the election of deputies so early as the eighth of next July.

We wish you success in your attempts to establish and perpetuate your liberties, and pray God to take you under his special protection.

Signed by unanimous order of the conference.

THOMAS M'KEAN, President.

Col. Roberdeau and Mr. Parker, from the committee of safety, delivered in at the table a letter from George Clymer, Esq., chairman of said committee, inclosing the instruction given to Capt. Davidson by that committee.

Ordered, To lie on the table for the persual of the members.

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Monday, June 24, A. M.

The conference met, according to adjournment, but many of the members being on committees, the conference adjourned to three o'clock this afternoon.

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The conference met June 24, 1776, P. M.

The committee appointed for that purpose brought in a draft of a declaration, on the subject of the independence of this colony, of the crown of Great Britain, which was ordered to be read.

By special order, the same was read a second time, and being fully considered, it was with the greatest unanimity of all the members agreed to and adopted, and is in the words following, viz.:

Whereas, George the Third, King of Great Britain, &c., in violation of the principles of the British constitution, and of the laws of justice and humanity hath, by an accumulation of oppressions, unparalleled in history, excluded the inhabitants of this, with the other American colonies, from his protection: And Whereas, He hath paid no regard to any of our numerous and dutiful petitions for a redress of our complicated grievances, but hath lately purchased foreign troops to assist in enslaving us, and hath excited the savages of this country to carry on a war against us, as also the negroes to imbrue their hands in the blood of their masters, in a manner unpractised by civilized nations, and hath lately insulted our calamities, by declaring that he will show us no mercy until he has reduced us: And Whereas, The obligations of allegiance (being reciprocal between a king and his subjects) are now dissolved on the side of the colonists, by the despotism of the said king.

insomuch that it now appears that loyalty to him is treason against the good people of this country: And Whereas, Not only the parliament, but there is reason to believe too many of the people of Great Britain have concurred in the aforesaid arbitrary and unjust proceedings against us: And Whereas, The public virtue of this colony (so essential to its liberty and happiness) must be endangered by a future political union with or dependence upon a crown and nation so lost to justice, patriotism and magnanimity. "We, the deputies of the people of Pennsylvania, assembled in full provincial conference, for forming a plan for executing the resolve of Congress of the 15th of May last, for suppressing all authority in this province, derived from the crown of Great Britain, and for establishing a government upon the authority of the people only, now in this public manner in behalf of ourselves, and with the approbation, consent and authority of our constituents, unanimously declare our willingness to concur in a vote of the Congress, declaring the united colonies free and independent states: Provided, The forming the government and the regulation of the internal police of this colony be always reserved to the people of the said colony; and we do further call upon the nations of Europe, and appeal to the great arbiter and governor of the empires of the world, to witness for us, that this declaration did not originate in ambition, or in an impatience of lawful authority, but that we were driven to it in obedience to the first principles of nature, by the oppressions and cruelties of the aforesaid king and parliament of Great Britain, as the only possible measure that was left us to preserve and establish our liberties, and to transmit them inviolate to posterity."

Ordered, That this declaration be signed at the table, and that the president deliver it in Congress.

The committee appointed to wait on the captains of the row galleys, &c., made their report, which was read, and is in the following words: That they had proceeded to said fleet in order to execute their appointment and wait on said captains (the commodore being gone to Philadelphia), who declare solemnly that they would pursue no measure that would involve the fleet in confusion, or in any wise incapacitate them from serving the public in the most effectual manner for the support, safety

and defence of this province, further than that they would not submit to, but would ever protest against the advancement of Capt. Davidson, whom the committee of safety have appointed commodore of said fleet, and further requested to be heard by this board or the convention respecting the premises as will appear by a declaration of said captains to said board.

J. BLEWER,                    M. BIRD,                    JOHN COLHOON.  
T. LEVIS,                    ROBERT LOLLER,

The committee also delivered a written report of the captains of the provincial galleys, which was read and is in the following words, viz.:

We said commanders do resolve to abide by the determination set forth in our remonstrance of the 18th inst., to the committee of safety respecting the appointment of a commodore. (We do, therefore, warmly remonstrate against any such appointment, and declare to this board that we will not submit to it.) We do also report to the sub-committee that the reports which have prevailed in town about our going on board the province ship to strike the board pennant, with boats manned and armed is false and without the least foundation. There was not a single firearm in one of the boats, neither the smallest appearance of hostility or design on our parts, even orders were given to our men not to stir out of their boats or attempt to come on board the ship. We do pray, when convenient, that we may have a hearing before the honorable the committee of conference or convention. In the interim your committee may rest assured that we will constantly remain in the line of our duty for the defence of our river and province, and that no differences of whatsoever kind shall interfere with the good of the public and glorious cause in which we are engaged.

(Signed.)

H. DOUGHERTY,  
JOHN HAMILTON,  
JAMES MONTGOMERY,  
RICHARD EYRES,  
ALEXANDER HENDERSON,  
HUGH MONTGOMERY,  
WILLIAM GAMBLE, of fire-ship,  
BENJAMIN THOMSON,  
ROBERT HUME.

Ordered, That the above reports lie on the table for perusal of the members.

On motion, Resolved, unanimously, That the same committee be appointed to wait on the committee of safety, and desire a conference on the subject matter of their report, from their conversation with the captains of the row gallies, &c., in the service of this province, and to make report of their proceedings in the premises.

Resolved, That Messrs. Bayard, Rush and Smith be a committee to prepare a draft of an address to the associators of this province on the subject of embodying 4,500 men.

The committee appointed to devise ways and means, &c., made their report, which, being read, was referred to to-morrow.

The committee appointed to wait on the committee of safety reported in the following words: That in conversation they found they were willing to agree to anything with this conference in reason that would promote harmony and good order, and further, that any of the conference was welcome to examine any of their accounts or proceedings.

(Signed.)

J. BLEWER,  
M. BIRD,  
ROBERT LOLLER,  
JOHN COLHOON.

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June 25, 1776.

The conference met.

The conference resumed the consideration of the report on the ways and means, &c., and after full consideration, Resolved, unanimously, That it be recommended to the associators of the city of Philadelphia and the several counties, to embody themselves in the following proportion, viz.:

City of Philadelphia, .....	210
County of Philadelphia, .....	746
Bucks, .....	400
Chester, .....	652
Lancaster, .....	746
Berks, .....	666
Northampton, .....	346
York, .....	400
Cumberland, .....	334
	<hr/>
	4,500
Troops under Colonel Miles, .....	1,500
	<hr/>
	6,000
	<hr/> <hr/>

Resolved unanimously, That the 4,500 militia, recommended to be raised, be formed into six battalions, each battalion to be commanded by one colonel, one lieutenant-colonel, one major; the staff to consist of a chaplain, a surgeon, an adjutant, a quartermaster, and a surgeon's mate, and to have one sergeant-major, one quartermaster sergeant, a drum-major and a fife-major, and to be composed of nine companies, viz.: Eight battalion companies, to consist of a captain, two lieutenants and one ensign, four sergeants, four corporals, a drummer, a fifer and sixty-six privates each; and one rifle company, to consist of a captain, three lieutenants, four sergeants, four corporals, one drummer, one fifer and eighty privates; excepting that for the Chester county battalion; one company of artillery is to be raised in the city of Philadelphia instead of a rifle company.

Resolved unanimously, That it be recommended to the committees of inspection and observation for the city and liberties, &c., of Philadelphia, and for each county, to order the militia aforesaid to be raised out of the battalions associated within their respective limits, in such proportion as they shall judge most equal.

Resolved unanimously, That the committees of inspection and observation in each county, wherein a whole battalion is to

be raised, shall nominate and appoint the field and other officers to command such battalion; and that the committees aforesaid of the city and counties wherein only a part of a battalion is to be raised, shall have the right, respectively, to nominate and appoint the field officers as nearly as may be in proportion to the number of men raised in the same, and they are desired to send sub-committees to confer together on such appointment, that harmony may prevail in this whole transaction.

Resolved unanimously, That each private procure his own musket or rifle, with the other accoutrements required by Congress; but, if they cannot be procured, it is recommended to the colonels of the several battalions in this province to lend the colonels of the battalions now to be raised, the muskets which have been made by order of the House of Assembly, and have been delivered to them for the use of the militia, and the colonels are hereby authorized and directed to receive the arms so to be delivered, and to lend the same to such privates as cannot procure arms for themselves until the expiration of the present service; and if any private shall neglect or refuse to return the arms to him lent, in good order, to the colonel of the battalion to which he belongs, at the end of the service, the original price thereof shall be deducted out of his pay.

Resolved unanimously, That it be recommended to the committees aforesaid, to advance to each private engaged in this service the sum of fifty shillings, being the first month's pay, and also to furnish one camp kettle for every six men, and to take particular care that the troops, now recommended to be embodied, provide themselves with good arms and accoutrements, a blanket, a haversack and knapsack each, at their own expense. The camp kettles to be returned to the colonel of the respective battalions at the end of the campaign.

On motion, Resolved, That it be recommended to the committee of safety of this province to confine the command of Commodore Davidson to the ship of war and floating battery belonging to the province, and to issue no orders to the captains or other officers of the row gallies, fire-ship, or fire-rafts, through the said commodore, until the convention meets, and that it

be recommended to the captains and other officers of the galleys, &c., to pay all due obedience to the committee of safety until that time, and until a new appointment shall take place.

Resolved, That Messrs. Hill, Smith and Blewer be a committee to wait on the committee of safety, with a copy of the said resolution.

The above committee reports that they had delivered the said recommendations to the committee of safety, which was then sitting.

Resolved, That it be recommended to every county and district committee in this province, to pay the strictest attention to the examination of all strangers or persons traveling through the city or counties, and permit no persons traveling through the city or counties to remain therein, unless they produce a pass or certificate from the city, county or district committee from whence they last came; and it is further recommended to all committees to furnish proper passes to all friends to American Liberty upon their application thereof.

The committee appointed to compare a draft of an address to the associators on the subject of embodying 4,500 in consequence of the resolution of Congress, &c., presented a draft, which was read.

By special order the same was read a second time and agreed to unanimously and is as follows, viz.:

THE ADDRESS OF THE DEPUTIES.

Of the committees of Pennsylvania, assembled in Provincial Conference, at Philadelphia, June 25, 1776.

To the Associators of Pennsylvania:

Gentlemen: The only design of our meeting together was to put an end to our own power in the province by fixing upon a plan for calling a convention to form a government under the authority of the people. But the sudden and unexpected separation of the Assembly has compelled us to undertake the execution of a resolve of Congress for calling forth 4,500 of the militia of the province to join the militia of the neighboring colonies to form a camp for our immediate protection. We



presume only to recommend the plan we have formed to you, trusting that in case of so much consequence your love of virtue and zeal and liberty will supply the want of authority delegated to us expressly for that purpose.

We need not remind you that you are now furnished with new motives to animate and support your courage. You are now about to contend against the power of Great Britain in order to displace one set of villians to make room for another. Your arms will not be enervated in the day of battle with the reflection that you are to risk your lives or shed your blood for a Britain tyrant, or that your posterity will have your work to do over again. You are about to contend for permanent freedom, to be supported by a government which will be derived from yourselves and which will have for its object not the enrollment of one man, or class of men only, but the safety, liberty and happiness of every individual in the community. We call upon you, therefore, by the respect and obedience which are due to the authority of the united colonies, to concur in this important measure. The present campaign will probably decide the fate of America. It is now in your power to immortalize your names by mingling your achievements with the events of the year 1776—a year which we hope will be famed in the annals of history to the end of time, for establishing upon a lasting foundation the liberties of one-quarter of the globe.

Remember the honor of our colony is at stake; should you desert the common cause at the present juncture, the glory you have acquired by your former exertions of strength and virtue will be tarnished, and our friends and brethren who are now acquiring laurels in the most remote parts of America will reproach us and blush to own themselves natives or inhabitants of Pennsylvania. But there are other motives before you—your houses, your fields, the legacies of your ancestors or the dear-bought fruits of your own industry and your liberty—now urge you to the field. These cannot plead with you in vain, or, we might point out to you further, your wives, your children, your aged fathers and mothers, who now look up to you for aid and hope for salvation in this day of calamity only from the instrumentality of your swords. Remember the name

of Pennsylvania. Think of your ancestors and of your posterity.

Signed by an unanimous order of the conference.

THOMAS M'KEAN, President.

Resolved unanimously, That thanks be given to the president for his impartiality and close attention to the business of this conference.

Resolved unanimously, That the thanks of this conference be given to the committee of the city and liberties of Philadelphia, &c., for their unwearied endeavors in the public service, and particularly for their patriotic exertions in carrying into execution the resolve of Congress of May 15th last, for suppressing all authority under the crown of Great Britain.

Then the conference dissolved itself.

THOMAS M'KEAN, President.

Jonathan B. Smith, }  
Samuel C. Morris, } Secretaries.

#### SECTION III.

PROCEEDINGS OF THE FIRST CONSTITUTIONAL CONVENTION OF PENNSYLVANIA, HELD AT THE STATE HOUSE IN PHILADELPHIA, JULY 15, 1776, TO SEPTEMBER 28, 1776.

At a meeting of the Convention for the State of Pennsylvania, held at the State House in the City of Philadelphia, on the Fifteenth day of July, in the year One Thousand Seven Hundred and Seventy-six.

Monday, July 15, 1776, P. M.

The respective judges for the election for the city of Philadelphia and the several counties made their returns, as follows, viz.:

For the City of Philadelphia.	For the County of Lancaster.
Timothy Matlack,	George Ross,
Benjamin Franklin,	Philip Marsteller,
Frederick Kuhl,	Thomas Porter,
Owen Biddle,	Bartram Galbreath,
James Cannon,	Joseph Sherrer,
George Clymer,	John Hubley,
George Schlosser,	Henry Slaymaker,
David Rittenhouse.	Anlexander Lowrey.

For the County of Northamp-  
ton.

Siman Dreshbach,  
Jacob Arndt,  
Peter Buckholder,  
Peter Rhoads,  
Jacob Stroud,  
Neigal Gray,  
Abraham Miller,  
John Ralston.

For the County of York.

John Hay,  
James Edgar,  
William Rankin,  
Henry Slagle,  
Francis Crazart,  
James Smith,  
Robert McPherson,  
Joseph Donaldson.

For the County of Bucks.

Joseph Hart,  
John Wilkinson,  
Samuel Smith,  
John Keller,  
William Vanhorn,  
John Grier,  
Abraham van Middleswartz,  
Joseph Kirkbride.

For the County of Northum-  
berland.

William Cooke,  
James Potter,  
Robert Martin,  
Matthew Brown,  
Walter Clark,  
John Kelly,  
James Crawford,  
John Weitzell.

For the County of Philadel-  
phia.

Frederick Antis,  
Henry Hill,  
Robert Loller,  
Joseph Blewer,  
John Bull,  
Thomas Potts,  
Edward Bartholomew,  
William Coates.

For the County of Bedford.

Thomas Smith,  
John Wilkins,  
Benjamin Elliott,  
Thomas Coulter,  
Joseph Powell,  
Henry Rhoads,  
John Burd,  
John Cessna.

For the County of Cumberland.

John Harris,  
Jonathan Hoge,  
William Clarke,  
Robert Whitehill,  
William Duffield,  
James Brown,  
Hugh Alexander,  
James M'Clean.

For the County of Chester.

Benjamin Bartholomew,  
John Jacobs,  
Thomas Strawbridge,  
Robert Smith,  
Samuel Cunningham,  
John Hart,  
John Mackey,  
John Flemming.

For the County of Berks.      For the County of Westmore-  
land.

Jacob Morgan,  
Gabriel Heister,  
John Leshner,  
Benjamin Spyker,  
Daniel Hunter,  
Valentine Eckart,  
Charles Shoemaker,  
Thomas Jones.

James Barr,  
Edward Cook,  
James Smith,  
John Moore,  
John Carmichael,  
James Perry,  
John M'Clellan,  
Christopher Lavingair.

The convention adjourned to three o'clock to-morrow in the afternoon.

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Tuesday, July 16, 1776, P. M.

The convention met, pursuant to adjournment.

Doctor Benjamin Franklin was unanimously chosen president.

Colonel George Ross was unanimously chosen vice-president.

John Morris, Esquire, was chosen secretary.

Mr. Jacob Garrigues was chosen assistant clerk to the secretary.

Mr. Morris not being in this city at present, Colonel Matlack is requested to perform the duty of secretary, till Mr. Morris may return.

The qualification and profession of faith recommended by the conference of committees, held at Philadelphia, on the 25th of June last, were read, taken and subscribed by all the members now present, viz.:

Benjamin Franklin,  
Timothy Matlack,  
Frederick Kuhl,  
Owen Biddle,  
James Cannon,  
George Clymer,

George Schlosser,  
David Rittenhouse,  
Frederick Antis,  
Henry Hill,  
Robert Loller,  
Joseph Blewer,

John Bull,	William Duffield,
Edward Bartholomew,	James Brown,
Joseph Hart,	James M'Clean,
John Wilkinson,	Jacob Morgan,
Samuel Smith,	Gabriel Heister,
John Keller,	John Leshner,
William Vanhorn,	Benjamin Spyker,
John Grier,	Daniel Hunter,
Joseph Kirkbride,	Charles Shoemaker,
John Hart,	Thomas Jones,
Thomas Strawbridge,	Simon Dreshbach,
Robert Smith,	Jacob Arndt,
Samuel Cunningham,	Peter Buckholder,
John Mackey,	Peter Rhoads,
George Ross,	Jacob Stroud,
Bartram Galbreath,	Neigal Gray,
Joseph Sherrer,	Abraham Miller,
John Hubley,	John Ralston,
Henry Slaymaker,	Thomas Smith,
Alexander Lowrey,	John Wilkins,
John Hay,	Benjamin Elliot,
James Edgar,	Thomas Coulter,
Francis Crazart,	Joseph Powell,
James Smith,	Henry Rhoads,
Robert McPherson,	John Burd,
Joseph Donaldson,	John Cessna,
John Harris,	Walter Clark,
Jonathan Hoge,	John Kelley and
William Clarke,	James Crawford.

William Sheed is appointed door-keeper.

A letter from the Honorable John Hancock, Esq., President of the Congress of the United States of America, directed to this convention, was read, recommending to them to take such measures as may be judged proper and necessary for procuring as much lead within this State as can be obtained. Whereupon, it was

Resolved, That the said recommendation of Congress be immediately complied with, and, therefore, that it be recom-

mended to the committee of safety immediately to take the most vigorous and effectual measures to procure all the lead which can be obtained, and which may at present be used in spouts, window-weights, clock-weights, ornaments of houses, or in any other form; and that they make reasonable compensation for the same to all persons from whom it may be had or received, having regard also to any particular inconveniences which individuals may sustain by affording the public this necessary supply.

And it is likewise recommended to the inhabitants of this State to part willingly with such lead as they have in their possession, for the public service.

A letter was read from General Roberdeau respecting the guard recommended by Congress to be kept in this city, and the same being considered, it was

Resolved, That it be recommended to the committee of safety, to take the necessary steps thereupon, as being within their department.

A letter was read from the delegates of the State of Virginia, now in the Congress, proposing that a temporary line between Pennsylvania and Virginia may be agreed upon, until a final determination may be had, and declaring their readiness to confer on this subject with any gentlemen this House may be pleased to appoint for that purpose; the same being considered, it was

Ordered, That the further consideration thereof be deferred to Thursday morning next.

On motion, Resolved, That application be made to General Roberdeau, requesting him to issue an order, for permitting John Morris, Esq., and Jacob Garrigues, to return to this city, they being appointed to the offices of secretary and assistant clerk to this convention.

Adjourned till to-morrow morning eight o'clock.

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Wednesday, July 17, 1776.

The convention met, according to adjournment.

Upon motion, Resolved, That the Reverend Mr. William

White be requested to perform divine service to-morrow morning before this convention, that we may jointly offer up our prayers to Almighty God to afford us his Divine Grace and Assistance in the important and arduous task committed to us, and to offer up our praises and thanksgivings for the manifold mercies and the peculiar interposition of His special Providence in behalf of these injured, oppressed and insulted United States.

Colonel Matlack and Mr. Clymer are appointed to wait on the Reverend Mr. White and furnish him with a copy of the foregoing resolve.

Moved, That Colonel Miles be appointed Brigadier-General and Commander-in-Chief of the forces of Pennsylvania. Referred for further consideration.

Mr. Matthew Brown, John Flemming, Philip Marsteller and Robert Whitehill appeared in the House for the first time, took the oaths and made and signed the profession of faith required.

Moved, That effectual measures be taken to obtain the arms from all non-associators, as they are absolutely necessary for the defense of the country. And as the associators in this State are not all completely armed, and the resolve of the Honorable Congress for disarming disaffected persons and non-associators has not yet been effectually executed; therefore,

Resolved, That Mr. Rittenhouse, Mr. Bull, Mr. Kirkbride, Mr. Flemming, Mr. Marsteller, Mr. Edgar, Mr. Harris, Mr. Coulter, Mr. Morgan, Mr. Gray and Mr. Crawford be a committee for bringing in an ordinance for the purpose of carrying fully into execution the said resolve of Congress.

A petition from divers debtors now confined in the gaol of Philadelphia, praying releasement from their confinement, was read, and ordered to lie on the table.

Adjourned to to-morrow morning eight o'clock.

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Thursday, July 18, 1776, A. M.

The convention met, according to adjournment.

Mr. Morris, the secretary, now attending, it was ordered,

upon motion, that he should take the following affirmation, viz.:

“I, John Morris, do declare that I do not hold myself bound to bear allegiance to George the Third, King of Great Britain, and that I will steadily and firmly at all times promote the most effectual means, according to the best of my skill and knowledge, to oppose the tyrannical proceedings of the King and Parliament of Great Britain against the American Colonies, and support a government in this State on the authority of the people only; and that, as secretary of this convention, I will be faithful and make fair and just minutes of all their proceedings according to the best of my abilities, and keep all such secrets as shall be directed to be kept by the convention.” Which he did accordingly.

Ordered, also, That the clerk, when he shall come, shall make a declaration to the like import.

The Reverend Mr. White attending, agreeable to the request of yesterday, and having performed divine service, and being withdrawn, it was

Ordered, on motion, That Mr. Matlack and Mr. Clymer wait upon that gentlemen with the thanks of the convention for his services.

On motion, That a committee be appointed to draw up rules and regulations for the government of this convention in their proceedings,

Ordered, That Mr. Ross, Mr. Matlack and Mr. Jacobs be a committee for that purpose.

On motion, Resolved, That the secretary call upon the clerk of the Assembly from time to time for such of the public records, papers and documents belonging to this government as the convention shall think necessary. And the said clerk is hereby directed to deliver the same.

Resolved, That the members of this convention have at all seasonable times free access to the public library of this State.

A report from the committee appointed yesterday to bring in an ordinance respecting the arms of non-associators, was read and ordered to lie on the table for a second reading.

The gentlemen appointed to draw up rules and regulations



for the government of this convention in their proceedings, withdrew, and after some time brought in an essay for that purpose, which, being read, was agreed to, and is as followeth, viz.:

First, That the members, when speaking, address themselves to the chair.

Second. That no member interrupt a member when speaking.

Third, That no member use indecent or reflecting language, or wilfully pervert the sense of what another member has said.

Fourth. That the members are not to use each other's names, but in their answers to take notice of their time of speaking, or their situation as to the right or left of the chair, &c.

Fifth, That no member cross between the chair and a speaking member.

Sixth. That the president have a right to call to order, where a member may wander from the matter in debate.

Seventh. That no member speak above twice on the same subject, without obtaining leave from the convention.

Eighth, That where any debate proves very tedious, and any four members rise and call for the question, the president shall put the same.

Ninth. That where the President shall enjoin secrecy, it is expected that every member is bound by his honor to observe the same.

Tenth. That where the House is equally divided, the president shall have the casting vote.

Upon motion, Resolved, That two-thirds of the persons chosen as members of this convention, be a quorum.

Upon motion, Resolved, That no member of this convention absent himself without leave.

Upon motion, To resume the consideration of the letter from the Virginia delegates, it was agreed to postpone the same for some time, as the members for Westmoreland are not yet arrived.

Upon motion, and after debate, Resolved, That a committee be appointed to make an essay for a Declaration of Rights for this State.

Resolved also, That the said committee consist of eleven persons, viz.: Mr. Biddle, Col. Bull, The Reverend Mr. Vanhorn, Mr. Jacobs, Col. Ross, Col. James Smith, Mr. Hoge, Mr. Morgan, Col. Stroud, Col. Thomas Smith and Mr. Martin.

Mr. Abraham van Middleswart, Mr. Robert Martin, Mr. John Weitzel and Mr. John Jacobs appeared in the House for the first time, took the oath or affirmation and made and signed the profession of faith required.

Adjourned to four o'clock P. M.

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Thursday, July 18, 1776, P. M.

The convention met, pursuant to adjournment, when a letter to this House from the Honorable the President of the Congress was read, desiring them to recommend field officers for a battalion to be raised in the counties of Bedford and Westmoreland, in this State, for the defense of its western frontier.

After some deliberation thereon, the further consideration thereof was postponed till to-morrow morning.

It was proposed by the president that the convention should now proceed to the choice of delegates to serve in the Continental Congress, whereupon, a debate arising, it was previously moved and

Resolved unanimously, That the said delegates to serve this State in Congress shall be chosen by ballot.

Also Resolved, That the number of said delegates be nine.

It was then considered, whether this House will proceed to the election of the said delegates, or postpone it till to-morrow afternoon?

And it was thereupon agreed to postpone the same till to-morrow afternoon.

It was moved and Resolved, That a majority of the delegates for this State, who are at any time present in Congress at the determination of any question, shall be a quorum to give the vote of this State.

Moved and Resolved, That the council of safety for this State shall consist of fifteen members, residing in or near the city of Philadelphia, and of one for each of the counties, and that seven be a quorum for the transaction of business.

Moved and Resolved, That the whole council of safety be voted for together by one general ballot.

Adjourned to to-morrow morning ten o'clock.

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Friday, July 19, 1776, A. M.

The convention met, according to adjournment.

Col. James Potter, one of the members from Northumberland, appeared in the House for the first time, took the oaths and made and subscribed the profession of faith required.

The ordinance, brought in yesterday, respecting the arms of non-associators, was read a second time, and then read by paragraphs. During the debates on which, a letter was handed to the president from the Honorable the President of Congress, informing that a false report had been spread through the country, which, it was apprehended, had retarded the march of the Pennsylvania associators, and that, therefore, it had been resolved by the Congress that it should be recommended to this convention to hasten their march with all expedition.

Whereupon, it was moved and unanimously Resolved, That circular letters be written to the several committees of inspection and observation of this State, to send orders immediately to the several colonels or commanding officers to march their troops with the utmost expedition to New Jersey, agreeable to a former request of Congress.

Also moved and unanimously Resolved, That letters be forthwith written to the several colonels and commanding officers in the several counties, and printed copies thereof also sent to the several committees to be by them forwarded to the officers.

And that the resolve of Congress of this day, and the letter of the Honorable President to this convention, be also printed, and the copies thereof sent with the other letters.

And, also, that Colonel Matlack, Colonel Hill and Mr. Cannon be a committee to write the said letters, and to print and forward them.

Adjourned to three o'clock P. M.

Friday, July 19, P. M.

The House met, pursuant to adjournment.

The committee appointed to write the letters to the committees of inspection and commanding officers, reported draughts of them, which, being read, and some small amendments made at the table, were approved of, and ordered to be printed and expedited as quickly as possible.

Mr. William Rankin, one of the members for York county, appeared in the House for the first time, took the oaths and made and subscribed the profession of faith.

The House resumed the consideration of the ordinance respecting the arms of non-associators, and after a considerable time employed in debating thereon and amending the same, it was ordained in the following words, viz.:

[Printed in full in text. See page 11.]

Moved and Resolved, That the salary of each of the delegates to be chosen to serve this State in Congress shall be twenty shillings per diem.

The election of delegates is adjourned to eight o'clock to-morrow morning.

Adjourned till to-morrow morning eight o'clock.

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Saturday, July 20, 1776.

The House met, according to adjournment.

When, according to the order of the day, they immediately proceeded, by ballot, to the election of delegates to serve in the Continental Congress, and chose for that service, Doctor Benjamin Franklin, Colonel George Ross, George Clymer, Esq., Robert Morris, Esq., Colonel James Wilson, John Morton, Esq., Doctor Benjamin Rush, Colonel James Smith and George Taylor, Esq.

Moved and Resolved, That a committee be appointed to draw up instructions for the delegates in Congress, and that Colonel Matlack, Colonel Thomas Smith, Mr. Cannon, Mr. Rittenhouse and Colonel Bull be that committee.

Moved and Resolved, That Mr. Rittenhouse, Colonel Thomas

Smith, Mr. Lowrey, Mr. Biddle and Colonel Potter be a committee to confer with the Virginia delegates on the subject of a temporary line between the two States of Virginia and Pennsylvania.

Colonel Ross informed the House, at the request of the Secret Committee of Congress, that the Congress for certain pressing and important reasons, desired that this convention would direct that the common prisoners be removed from the new gaol to the old gaol in this city, and would give up the said new gaol to the Congress for the use of the State prisoners, for which they would willingly pay any reasonable rent or compensation.

Whereupon, it was moved and unanimously Resolved, That the said request of Congress be complied with, and that the said common prisoners be forthwith (that is, this day) removed from the said new gaol, and that the same be immediately delivered up to Congress for the use aforesaid. And the sheriff of the city and county of Philadelphia is commanded to keep his civil prisoners safely in the old gaol until they may be properly discharged. And of this resolve, all persons whom it may concern are required to take notice and give prompt obedience thereto.

The House then resumed the consideration of the field officers for the battalion intended for the defense of the western frontier, and agreed to recommend Aeneas M'Coy, Esq., as colonel, George Wilson, Esq., as lieutenant-colonel and Richard Butler, Esq., as major.

Adjourned to Monday morning eight o'clock.

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Monday, July 22, 1776, A. M.

The House met, pursuant to adjournment.

The following members for Westmoreland, viz.: James Barr, Edward Cook, John Moor, John Carmichael, John M'Clellan, Christopher Lavingair and James Smith, now appeared in the House, took the oaths and made and subscribed the profession of faith, as did also Hugh Alexander, of Cumberland, at the same time.

Moved and Resolved, That the committee of safety of this State lay their accounts and proceedings before this convention, and that Mr. Clymer communicate this resolution to the said committee.

On motion, Ordered, That Mr. John Moor be added to the Declaration of Rights Committee, and that the said committee have leave of absence.

A letter from the President of the Congress, requesting this convention to increase the quota of this State for the Flying Camp with four battalions of militia, was presented and read, but so many of the members had gone upon the Committee of the Declaration of Rights, that a quorum was not then in the House; the consideration of it was, therefore, postponed to the afternoon.

Adjourned to three o'clock in the afternoon.

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Monday, July 22, 1776, P. M.

The House met, pursuant to adjournment.

Mr. Valentine Eckart appeared in the House for the first time, and took the oath, and made and subscribed the profession of faith.

A petition from William Dewees, Esq., as high sheriff of the city and county of Philadelphia, was read, praying that before he obeyed the resolve of this House of the 20th instant, respecting the removal of the prisoners from the new to the old gaol, he and his sureties might be indemnified.

Upon consideration thereof, it was moved and Resolved, That the said William Dewees be ordered to pay immediate obedience to the said resolve of the 20th instant, and, if he think necessary, he may apply to the commanding officer of the City Guard for a guard to the old gaol, till it be put in a state of security. And the said officer is hereby required and ordered to grant the same.

Upon motion, Ordered, That Colonel Matlack and Mr. Clymer be a committee to go immediately and examine the state

of the old gaol. They went, and, returning, report that they had viewed the same, and find it sufficiently secure to receive and keep safe the prisoners.

The said William Dewees attending, requested, as a favor, that he might be indulged till the morning, before he removed the prisoners; his request was granted, the evening being too far advanced to remove them conveniently.

The House then resumed the consideration of Mr. President Hancock's letter respecting the increase of the quota for the Flying Camp, and, after some debate thereon, agreed to refer it for further consideration till to-morrow morning.

Adjourned till to-morrow morning, nine o'clock.

---

Tuesday, July 23, 1776, A. M.

The House met, pursuant to adjournment.

The consideration of Mr. President Hancock's letter was resumed, and after some debate thereon, it was

Upon motion, Resolved, That Mr. Cannon, Colonel Kirkbride, Major Loller, Mr. Mackey, Colonel Lowrey, Colonel McPherson, Mr. Harris, Mr. Ralston and Mr. Eckart be a committee to fix the proportions of the city and the several counties of this State, toward composing the four additional battalions required by Congress for the Flying Camp.

Whereas, The associators in this State, on the requisition of the Honorable the Continental Congress, have freely and bravely gone into the field for the defense of the common liberties of America, while the non-associators remain at home in peace and security, without affording by personal service or otherwise, that just and necessary assistance they owe to the State for their protection; therefore,

Resolved, That this convention will take the most effectual measures to render the burthen and expense of the inhabitants of this State just and equal.

Ordered, That this resolve be published in the newspaper of this city.

On motion, That, as the safety and security of the State

should at all times call the attention of its members for its preservation; therefore,

Resolved, That Col. Ross, Col. James Smith, Mr. Biddle, Mr. Hoge, Mr. Clymer, Mr. Rittenhouse and Col. Thomas Smith be a committee to bring in an ordinance declaring what shall be high treason and misprison of treason against this State, and what punishments shall be inflicted for those offenses.

On motion, Resolved, That the same gentlemen mentioned in the preceding resolve, be a committee to bring in an ordinance, declaring what shall be the punishment for the counterfeiting the paper bills of credit issued by the Honorable Continental Congress, or by the late Assembly of Pennsylvania, or by any other of the United States of America, and which of them, and how far, and in what cases they shall be a legal tender.

A petition from Col. James Easton, a prisoner now confined in the gaol of Philadelphia, was read, setting forth the very great and peculiar hardships of his case; whereupon, it was,

On motion, Resolved, That Mr. Jacobs, Col. Matlack and Mr. Hubley be a committee to inquire into the truth of the facts set forth in his petition.

Adjourned to three o'clock P. M.

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Tuesday, July 23, 1776, P. M.

The House met, pursuant to adjournment.

Mr. Benjamin Bartholomew and Mr. James Perry appeared in the House for the first time, and took the oaths and made and subscribed the profession of faith.

On motion, Resolved, That eight shillings shall be the salary of each member of the council of safety, for every day in which he shall be engaged in the public service.

The House then proceeded to the election (by ballot) of the council of safety for this State. The following gentlemen were chosen, viz.:

David Rittenhouse, Jonathan B. Smith, Owen Biddle, James Cannon, Timothy Matlack, Nathaniel Falconer, Samuel Morris,



Junior, Samuel Howell, Frederick Kuhl, Samuel Morris, Senior, Thomas Wharton, Junior, Henry Keppeler, Junior, Joseph Blewer, Samuel Mifflin, George Gray and John Bull, for Philadelphia county.

Henry Wynkop, for Bucks county.

Benjamin Bartholomew, for Chester county,

John Hubley, for Lancaster county.

Michael Swoope, for York county.

William Lyon, for Cumberland county.

Daniel Hunter, for Berks county.

Peter Rhoads, for Northampton county.

David Espey, for Bedford county.

John Weitzel, for Northumberland county, and

John Moor, for Westmoreland county.

Who, being declared duly elected, the House adjourned to to-morrow morning, ten o'clock.

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Wednesday, July 24, 1776, A. M.

The convention met, according to adjournment.

Colonel Henry Slagle appeared in the House for the first time, and took the oath and made and subscribed the profession of faith.

On motion, Resolved, That the members of the council of safety, before they enter upon the execution of their office, shall take and subscribe the following oath or affirmation, viz.:

"I, \_\_\_\_\_, do declare that I do not hold myself bound to bear allegiance to George the Third, King of Great Britain, and that I will steadily and firmly at all times, promote the most effectual means, according to the best of my skill and knowledge, to oppose the tyrannical proceedings of the King and Parliament of Great Britain against the American States; and that I will, according to the best of my judgment, execute with fidelity the trust reposed in me, as a member of the council of safety."

And that the vice-president of this convention administer the said oath or affirmation to such a number of the said council of safety as may be sufficient to make a quorum, and

then that the president of the said board, for the time being, qualify the rest.

Resolved, upon motion, That it be recommended to the council of safety to provide a sufficient number of pikes for the use of the militia of this State.

A letter from the chairman of the committee of Berks county was read, and, on motion, it was ordered that the same be referred to the council of safety.

On motion, Resolved, That the same gentlemen who are on the Declaration of Rights Committee, be appointed to draw up an essay for a frame or system of government for this State.

The committee for bringing in ordinances respecting the counterfeiting the paper bills of credit, and respecting treason and misprison of treason, reported that they had made essays for those purposes, which were both read and ordered a second reading.

On motion, Resolved, That the two companies of fifty men each now raising by the committee of Westmoreland for the defense of the frontier be considered as militia in actual service from the time of their enlistment to the fifth day of August next.

And also, that it be referred to the council of safety to consider whether they will keep the same in pay till the fifteenth day of September next, provided the officers, or any of them, should not be sooner appointed in, or any of the men before that time enter into the Continental Battalion now to be raised in Bedford and Westmoreland counties.

The committee for instructions to the delegates in Congress reported a draught for that purpose, which was left on the table for consideration.

Adjourned to three o'clock in the afternoon.

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Wednesday, July 24, 1776, P. M.

The House met, pursuant to adjournment.

On motion, Resolved, That Mr. John Leshner be one of the committee for essaying a frame of government in the room of Mr. Jacob Morgan, who is absent with leave.

On motion, Resolved, That Mr. Cannon, Mr. Benjamin Bartholomew and Mr. Hubley be a committee to prepare and bring in an ordinance for delivering from imprisonment all persons confined in the several gaols in this State, except those who are imprisoned for practices against the State or for capital offenses.

The House took into consideration Col. Easton's petition, and the report of the committee thereupon, which report is as follows, viz.:

"That your committee have heard Col. Easton and his evidences, after notice being sent to the attorneys for the plaintiffs, to attend, if they should think proper; it appears that Col. Easton had given to his principal creditors such security for their debts as at the time was satisfactory to them. That he has since offered to surrender into the hands of his creditors all his effects, upon condition that the same should be sold to the best advantage, and the surplusage, after the payment of his just debts, should be returned to him, and that his creditors have not paid that attention to so reasonable an offer that was justly due to it. It, therefore, appears to your committee that there is no equitable cause for continuing the said Colonel Easton in confinement.

Philadelphia, July 24, 1776.

(Signed.)

TIMOTHY MATLACK,  
JOHN JACOBS,  
JOHN HUBLEY."

Whereupon, on motion, it was

Resolved, That this House will give relief to Colonel Easton, and that Colonel Matlack, Mr. Jacobs and Mr. Hubley be a committee to bring in an ordinance for his release from the gaol of Philadelphia, upon the particular circumstances of his case.

Adjourned to to-morrow morning, ten o'clock.

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Thursday, July 25, 1776.

The House met, pursuant to adjournment.

Mr. Thomas Porter appeared in the House for the first time,

and took the oath and made and subscribed the profession of faith.

It was moved and Resolved, That this convention do agree to the following resolution and declaration, viz.:

We, the Representatives of the Freemen of the State of Pennsylvania, in General Convention assembled, taking into our most serious consideration the clear, strong and cogent reasons given by the Honorable Continental Congress, for the declaring this, as well as the other United States of America, free and independent, do thereupon resolve, and be it hereby resolved and declared that we, in behalf of ourselves and our constituents, do unanimously approve of the said resolution and declaration of Congress of the fourth instant. And we do declare before God and the world, that we will support and maintain the freedom and independence of this and the other United States of America at the utmost risk of our lives and fortunes.

The committee for essaying a Declaration of Rights, reported a draught for that purpose, which, being read, was ordered to lie on the table for further consideration.

A letter was read from Capt. Falconer, one of the new elected council of safety, informing the House that he cannot, consistent with his other public engagements, possibly serve in that station, and praying that another member might be elected in his room.

On motion, Ordered, That the ordinance reported yesterday by the committee for declaring what is treason, &c., be recommended to the same gentlemen for amendment.

The committee appointed to fix the quotas for the four additional battalions, made a report, which was read, and ordered to lie on the table for further consideration.

The report of the committee for instructions to the delegates in Congress was read the first time and ordered to lie on the table for further consideration.

The committee appointed to draw an ordinance respecting the release of Col. Easton, reported a draught for that purpose, which was read the first time and ordered a second reading to-morrow.

On motion, Ordered, That Col. Matlack, Mr. Cannon, Col.

Potter, Mr. Rittenhouse, Mr. Whitehill and Col. Galbreath be added to the committee for bringing in an essay for a frame of government.

Adjourned to to-morrow morning, nine o'clock.

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Friday, July 26, 1776, A. M.

The House met, pursuant to adjournment.

A letter was read from General Roberdeau, dated July 24, 1776, at Amboy, complaining of the slowness with which the militia of this State come in, and desiring that some gun-screws be sent for the use of the troops. The convention apprehends that they have done everything, at present in their power, to expedite the march of the forces of this State. With respect to the gun-screws, that matter is referred to the council of safety.

Upon motion, Ordered, That Colonel Hill, Colonel Lowrey and Mr. John Hart be a committee to examine the situation of the funds of this State, and make report of what sums are in the hands of the treasurer and late committee of safety, and also what debts are yet due and unpaid by the State.

The report of the committee for the Declaration of Rights was again read, and a motion was made and seconded that the same be recommitted, but the previous question being called for, it was, thereupon

Resolved, That the question be not now put on the said motion.

Adjourned to three o'clock in the afternoon.

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Friday, July 26, 1776, P. M.

The House met, pursuant to adjournment.

The ordinance for the release of Col. James Easton was read and ordered to be engrossed for a third reading.

Upon motion, Resolved, That the minutes of this convention be published weekly in English and German, and that this House will appoint a committee to superintend the publication.

The House resumed the consideration of the report of the Declaration of Rights, and after some considerable time spent therein, it was,

Upon motion, Resolved, That the said report be recommitted to the same committee who were originally appointed thereon.

The committee appointed to bring in an ordinance for delivering the gaols of this State, now presented an essay for that purpose, which, being read, was ordered to lie on the table for a second reading.

The draught of instructions for the delegates in Congress was read and unanimously approved, and is as follows, viz.:

In Convention, Philadelphia, July —, 1776.

Gentlemen: This convention, confiding in your wisdom and virtue, has, by the authority of the people, chosen and appointed you to represent the free State of Pennsylvania in the Congress of the United States of America, and authorized you, or a majority of such of you as shall at any time be present, to vote for and in the name of this State in all and every question there to be decided; and this convention apprehend it to be a duty which they owe the public to give you the following general directions for your conduct, confident that you will at all times pay the utmost attention to the instructions of your constituents.

The immense and irreparable injury which a free country may sustain by, and the very great inconveniences which always arise from a delay of its councils, induce us, in the first place, strictly to enjoin and require you to give not only a constant but a punctual attendance in Congress.

The present necessity of a vigorous exertion of the united force of the Free States of America against our British enemies is the most important object of your immediate regard, and points out the necessity of cultivating and strengthening, by every means in your power, the present happy union of these states, until such a just, equal and perpetual confederation can be agreed upon and finally effected as will be the most likely to secure to each the perfect direction of its own internal police: In the forming of which confederation you are to give your utmost assistance.

We recommend to you to use your utmost power and influence in Congress, to have a due attention paid to the establishing and maintaining a respectable naval force, as such a force is absolutely necessary to every trading nation, and is the least expensive or dangerous to the liberties of mankind.

With respect to the forming of treaties with foreign powers, it is necessary only to say that we strictly charge and enjoin you not to agree to or enter into any treaty of commerce or alliance with Great Britain, or any other foreign power, but (on the part of America) as free and independent states. And that whenever Great Britain shall acknowledge these States free and independent, you are hereby authorized, in conjunction with the delegates of the other United States, to treat with her concerning peace, amity and commerce, on just and equal terms.

Adjourned to ten o'clock to-morrow morning.

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Saturday, July 27, 1776, A. M.

The convention met, pursuant to adjournment.

On motion, Ordered, That Mr. Edward Cook be added to the committee appointed to confer with the Virginia delegates.

Two several petitions, the one from John Williams, the other from James Forbes and William Patton, prisoners in the gaol of Lancaster county, praying relief, were read, and the convention being of opinion that their cases will be provided for in the ordinance brought in for the relief of prisoners in general, they were ordered to lie on the table.

A letter from the committee of Lancaster county being read, was ordered to be referred to the council of safety.

On motion, Ordered, That Colonel Hill and Mr. Hubley be a committee to revise the minutes of this House, and superintend the printing them in English and German.

The House resumed the consideration of the report of the committee for the quotas for the additional battalions, and after some debate thereon, agreed to postpone the same till another day.

The ordinance for the release of Colonel James Easton being

engrossed, was read a third time, and ordained in the following words, viz.:

[Printed in full in text. See page 12.]

The committee appointed to bring in an essay of the Declaration of Rights, and to whom the same was recommitted, reported a new draught thereof, which being in part read by paragraphs, and debated upon for some time, was postponed for further consideration.

Adjourned to nine o'clock Monday morning.

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MINUTES OF THE CONVENTION FOR THE STATE OF  
PENNSYLVANIA.

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FROM MONDAY, JULY 29, TO FRIDAY, AUGUST 1, 1776.

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Monday, July 29, 1776, A. M.

The convention met, pursuant to adjournment.

The House resumed the consideration of the draught of the Declaration of Rights and went through the same by paragraphs. Whereupon, it was

Ordered, That Colonel Hill and Mr. Hubley procure to be printed ninety-six copies of the said draught, for the further consideration of the members of this House.

Adjourned to three o'clock to-morrow afternoon.

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Tuesday, July 30, 1776, P. M.

The convention met, pursuant to adjournment.

Application being made to this House, by the council of safety, that this convention would determine the matter respecting the command of the fleet of this State, it was, after debate,



Ordered, That the consideration of the said application be postponed.

On motion, Resolved, That on Saturday next the members of this convention will visit the fortifications, the ships, floating battery, gallies, &c., at Fort Island.

A memorial from the Committee of Inspection, and a petition from many of the inhabitants of the county of Northumberland were read, praying the assistance of this convention to provide against the expected hostilities of the Indians. Ordered to lie on the table.

Adjourned to nine o'clock to-morrow morning.

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Wednesday, July 31, 1776, A. M.

The convention met, pursuant to adjournment.

The consideration of the draught of an ordinance brought in for the relief of the prisoners confined in the several gaols of this State was resumed, and the same being read by paragraphs, debated upon and amended, was ordered to be transcribed for a third reading.

On motion, Resolved, That the council of safety be empowered and directed to transact the business specially referred to the committee of this House, appointed on the 18th day of July instant, to confer with a committee of the Honorable Congress.

The consideration of a draught of an ordinance brought in for punishing the counterfeiting the paper currency of America, was resumed, and the same being read by paragraphs, debated upon and amended, was ordered to be transcribed for a third reading.

Adjourned to three o'clock in the afternoon.

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Wednesday, July 31, 1776, P. M.

The convention met, pursuant to adjournment.

The petition of William Nichols was read, and ordered to be referred to the overseers of the poor to take care of the petitioner.

The petitions of Mathew Knox and William Caldwell were read, and the House apprehending that the cases of the petitioners will be provided for in the general ordinance for the relief of prisoners, they were ordered to lie on the table.

The House resumed the consideration of the petition and memorial from Northumberland, and it was

Moved and Ordered, That Colonel Kirkbride, Colonel Lowrey, Mr. Arndt, Colonel Potter and Major James Smith, of Westmoreland, be a committee to inquire into the facts set forth in the memorial and petition from Northumberland, and report thereon to this House.

The ordinance respecting treason was read by paragraphs, and after some time spent thereon, the further consideration of it was postponed.

Adjourned to to-morrowing morning, nine o'clock.

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Thursday, August 1, 1776, A. M.

The convention met, pursuant to adjournment.

The engrossed copies of the draughts of the two proposed ordinances, the one entitled "An ordinance for the relief of the prisoners in the several gaols in the State of Pennsylvania," the other, entitled "An ordinance to prevent the counterfeiting the paper-money issued by the Honorable the Continental Congress, or by this or any other of the United American States," were read and compared at the table, and passed into ordinances, and ordered to be signed by the vice president.

These ordinances are in the following words, viz.:

[Printed in full in text. See page 5.]

"An ordinance to prevent the counterfeiting the paper-money issued by the Honorable the Continental Congress, or by this or any other of the United American States."

[Printed in full in text. See page 8.]

On motion, Resolved, That this convention will to-morrow morning resolve itself into a committee of the whole house, in order to take into consideration some important matters relative to the proposed new frame of government.

Also Ordered, That every member of this convention be punctual in his attendance at the House to-morrow morning.

The committee appointed to consider the petition and memorial from Northumberland county reported that the facts therein set forth are well supported by evidence, and, therefore, recommend the immediate consideration thereof to this convention. And the House having deliberated thereon, it was

Resolved, That it is the opinion of this convention that the inhabitants of the said county and county of Northampton are greatly exposed to Indian incursions, without being able to make a proper defense, on account of the scattered situation of the inhabitants, they being settled in such manner as to be unable to afford each other necessary assistance.

Resolved, That it is the opinion of this convention, that it will be proper to raise and keep up a body of troops for the defense of the frontiers, not only of the county of Northumberland, but also of the county of Northampton, the latter county being equally exposed to Indian incursions.

Resolved, That it is the opinion of this convention that the defenseless situation of those parts of our frontiers be made known to Congress, by the delegates of this State, and that they further inform them that the battalion ordered to be raised for defense of the western frontiers can afford no assistance to those two counties, and that the quota of militia of Northampton first required for the flying camp, is already marched, and the residue of the militia is about to march agreeable to the late request of Congress, by which means they will be without the least defense, and request Congress to take these matters into their consideration.

The draught of an ordinance for punishing high treason was read a second time by paragraphs; ordered to be transcribed for a third reading.

Adjourned to three o'clock in the afternoon.

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Thursday, August 1, 1776, P. M.

The House met, pursuant to adjournment.

Adjourned to nine o'clock to-morrow morning.

Friday, August 2, 1776, A. M.

The convention met, pursuant to adjournment.

A memorial from the inhabitants of Turkey Foot township, in Bedford county, setting forth their opinion respecting the intended new frame of government, was read and ordered to lie on the table.

The order of the day was then read, and the convention, in consequence thereof, resolved itself into a committee of the whole house.

Colonel Joseph Kirkbride was called to and assumed the chair.

After a very considerable time spent in deliberation, the president resumed the chair, and then Colonel Kirkbride, the chairman of the committee reported

That it was the opinion of the said committee that the future legislature of this State shall consist of one branch only, under proper restrictions.

Whereupon, it was moved and Resolved, That the future legislature of this State shall consist of one branch only, under proper restrictions.

Adjourned to Monday morning, nine o'clock.

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MINUTES OF THE CONVENTION FOR THE STATE OF PENNSYLVANIA,

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FROM MONDAY, AUGUST 5, TO SATURDAY, AUGUST 10, 1776.

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Monday, August 5, 1776, P. M.

The convention met, pursuant to adjournment.

On motion, Resolved, That when any member shall be absent above half an hour after the time of adjournment, or shall leave the House without permission first obtained, he shall be fined seven shillings and six pence, if there shall be a quorum then met. And if there shall not, within another half hour,

appear a quorum, then each absent member shall be fined ten shillings as soon as a quorum appears. The said fines to be given to the hospital.

And also, that Mr. James M'Clain collect the said fines.

The report of the committee for enquiring into the state of the public funds, was read,

Ordered to lie on the table for the consideration of the members.

The House resumed the consideration of the application made to this convention by the Council of Safety, to determine the matter respecting the command of the fleet of this State:

Whereupon it was moved and seconded,

That the said determination be referred wholly to the said Council of Safety; and that the officers and others in the naval and land service of this State ought not, in all cases, to rise in command according to seniority, although proper regard should be had to that circumstance in promotions where there are equal merit and equal military abilities. And that the council of safety of this State shall have full authority to use their best discretion, so as most effectually to promote the service. And all officers and others are hereby required and strictly enjoined to give and pay full and implicit obedience to their regulations and orders.

But the previous question being called for and seconded, it was thereupon

Resolved, That the question be now put on the said motion.

Jacob Garrigues, the assistant clerk, now appearing took the affirmation required by a former minute.

On motion, Resolved, That Mr. Rittenhouse, Col. Antis, Mr. Samuel Smith, Mr. John Hart, Major Marsteller, Mr. Edgan, Mr. Duffield, Mr. Shoemaker, Mr. Gray, Mr. Wilkins, Mr. Kelley and Major James Smith be a committee to bring in an ordinance for regulating the militia of this State, so as to render the burthens and expenses of the associators and non-associators as nearly equal as possible.

On motion, Ordered, That Colonel Jacob Morgan be re-appointed one of the committee for bringing in an essay for a frame of government, in the room of Mr. Leshner, who is absent.

Moved and Resolved, That Mr. Biddle, Colonel Hill and Mr. Hubley be a committee to bring in an ordinance to regulate the sale of tea and salt in this State.

Moved and Resolved, That Mr. Biddle, Colonel Hill and Mr. Hubley be a committee to bring in an ordinance respecting the salt imported by Joshua Fisher and Sons.

Adjourned to three o'clock to-morrow afternoon.

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Tuesday, August 6, 1776, P. M.

The convention met, according to adjournment.

On motion, Resolved, That Colonel Potter, Colonel Galbreath and Mr. Hubley be a committee to consider the granting of commissions for the officers of the flying camp.

A petition from Thomas Wigton, now a prisoner in the gaol of Northampton county, was read, complaining of his arbitrary imprisonment by Mr. Gordon and Mr. Berlin, and, thereupon, it was

Resolved, That Colonel Lowrey, Mr. Arndt and Mr. Rabson be a committee to enquire into the truths of the facts therein set forth.

Moved, That a Committee be appointed to bring in an ordinance for regulating the militia of this State, but the previous question being called for, it was thereupon

Resolved, That the question on that motion be not now put.

Application being made to this House by the deputy quartermaster general in this city for directions with respect to quartering the troops marching through same, the consideration thereof is referred to the council of safety.

On motion, Ordered, That Mr. Schlosser be added to the committee appointed for regulating the militia, &c.

Adjourned to three o'clock to-morrow afternoon.

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Wednesday, August 7, 1776, P. M.

The convention met, pursuant to adjournment.

Mr. William Cook appearing in the House for the first time, took the oath, and made and subscribed the profession of faith.

Leave of absence for three days (on special occasions) was given to Major Marsteller.

A letter from Colonel Bird, of the Berks county militia, respecting a dispute between him and some of the other officers of that county was read, and thereupon it was

Resolved, That Colonels Bird and Old be ordered to march with the companies under their respective command to New Jersey, and continue to command them until the return of the militia, subject to such regulations as this convention or the council of safety may hereafter establish in that particular affair, on hearing the parties.

A letter from the field officers of the Third Battalion of Northampton county, respecting the want of arms and ammunition for that corps, and the danger of Indian incursions on that frontier county, was read and ordered that the same be referred to the council of safety.

The committee appointed to examine the facts set forth in the petition of Thomas Wigton report that the said Wigton was released before the appointment of the committee and that nothing further is necessary to be done thereon.

On motion, Resolved, That Colonel Hill, Mr. Whitehill, Mr. Gray, Colonel Thomas Smith and Colonel Potter be a committee to consider the most effectual and expeditious measures for raising the quota of this State for the flying camp. And that it be an instruction to the said committee to enquire of the delegates to Congress from Maryland and the Delaware Counties, what measures have been taken by those States for the raising their proportions.

Adjourned to nine o'clock to-morrow morning.

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Thursday, August 8, 1776, A. M.

The convention met, pursuant to adjournment.

A member observing that this was a day appropriated by a very respectable religious society for humiliation and prayer, it was thereupon

Resolved, That this convention do adjourn to nine o'clock to-morrow morning.

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Friday, August 9, 1776, A. M.

The House met, pursuant to adjournment.

The committee appointed to consider of the most effectual means to raise the quota for the flying camp, &c., reported a draught of an ordinance for that purpose, which was read, and ordered to lie on the table for a second reading to-morrow.

A letter from Colonel John Dickinson, dated Elizabethtown, August 6, 1776, to this convention, relating to the uneasiness of the first battalion of the Pennsylvania militia, was read.

A report from the committee appointed to consider of the granting commissions to the officers of the flying camp was read, recommending that blank commissions should be signed by the president of this convention and sent to General Roberdeau. After some debating thereon, the consideration thereof was ordered to be postponed.

A second petition of Thomas Wigton, complaining of his imprisonment in Easton gaol was read and ordered to lie on the table.

On motion, Ordered, That two thousand copies of the particulars of the rations allowed for the flying camp be printed and dispersed among the men.

Upon a motion to resume the consideration of the draught of the Declaration of Rights, it was agreed that the same be postponed to Tuesday next.

On motion, Resolved, That Colonel Hill, Colonel Kirkbride, Mr. Cunningham, Colonel James Smith, Mr. Hoge and Colonel Potter be a committee to bring in a draught of an ordinance, appointing certain persons therein to be named, in the city and several counties of this State, to preserve the public peace, under the name of conservators of the peace; and that it be an instruction to the said committee to insert therein the names of the council of safety as conservators of the peace throughout the whole State, and also the names of such per-



sons for the city and the several counties, respectively, as shall be respectively nominated by the members of this House for the city and several counties. And that the said committee shall frame a test to be taken by each of the said conservators before he acts in the said office.

The petition of David Greedy was read and ordered to lie on the table.

Whereas the time for which the committee of inspection and observation for the city and liberties of Philadelphia, as well as the times for which the committees of several of the counties of this State were elected into that office are near expiring. And Whereas, The associators of the said city and counties, who compose a great majority of the electors are, or may be, at such expiration, absent in the service of their country, and it would be highly inexpedient that the said city or counties should either be without such committees or that they should be partially elected.

Resolved, therefore, That the present committees of the said city and counties, respectively, shall continue to execute the duty of their said offices until the militia of such city and counties, respectively, shall return, and other committees be regularly chosen, excepting from this resolve the committees of the counties of Cumberland, Bedford, Northumberland and Westmoreland.

On motion, Resolved, That no tavernkeepers or others take out any licenses from the officers of the late government of this State.

Adjourned to nine o'clock to-morrow morning.

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Saturday, August 10, 1776, A. M.

The convention met, pursuant to adjournment.

According to the order of the day, the draught of the ordinance respecting the flying camp was read by paragraphs, and, after long debates thereon, the House came to the following resolutions:

1st. Resolved, That the commanding officers of the several

battalions in the respective counties of this State immediately march into Jersey, with their whole battalions.

2d. Resolved, That the associators of the counties of Bedford, Northumberland, Northampton and Westmoreland and the Guards of the City of Philadelphia, retained by the council of safety, and two companies of Col. Ross's battalion, and two companies of Colonel Slough's battalion of about fifty men each, left to guard the prisoners, and about sixty carpenters and workmen retained by the committee of Lancaster, be excepted out of the foregoing resolve.

3d. Resolved, That a bounty of three pounds be paid to every associator who has entered or will enter into the service in the flying camp, to continue until the first day of January next, if not sooner discharged, excepting such as have already received a bounty.

4th. Resolved, That such battalions as have or shall furnish their quotas for the flying camp and have been in actual service six weeks, shall be permitted to return home—if the generals and field officers shall judge it consistent with the public safety. And when the whole cannot be permitted to return, furlows are to be granted in cases of particular necessity.

5th. Resolved, That three commissioners be appointed to go to headquarters in Jersey to form the Flying Camp.

6th. Resolved, That the commissioners, with the field officers of the counties respectively, shall nominate the officers for the flying camp, where they are not already nominated.

7th. Resolved, That money be put into the hands of the commissioners for the purpose of paying the bounty.

On motion, Ordered, That Colonel Hill be one of the committee for considering of the quotas for the additional battalions for the flying camp, in the room of Major Loller.

Ordered, That the secretary transmit the resolves to General Roberdeau.

Adjourned to ten o'clock on Monday morning.

MINUTES OF THE CONVENTION FOR THE STATE OF PENNSYLVANIA,

FROM MONDAY, AUGUST 12, TO SATURDAY, AUGUST 17, 1776.

Monday, August 12, 1776, A. M.

The convention met, pursuant to adjournment.

A letter from Colonel Dickinson, informing of the desertion of two soldiers of his battalion, was read, and ordered to be referred to the council of safety.

Letters from General Mercer and Colonel Dickinson, relative to the desertions of the militia, were, by order of Congress, laid before this House.

Mr. Vice-President, Colonel Matlack and Colonel Slagle were chosen by ballot commissioners to go to Headquarters, in Jersey, to form the Flying Camp.

A petition from Major Loxley was read, praying this House would be pleased to appoint a committee for him to consult with on the business committed to his charge. Upon consideration, the same was referred to the council of safety.

The House resumed the consideration of the report of the committee appointed to fix the quotas of the four additional battalions for the Flying Camp; and, upon motion, it was

Resolved, That the House do approve the same.

The said report is as follows, viz.:

	Men.
The city of Philadelphia, .....	628
The county of Philadelphia, .....	160
Bucks, .....	100
Chester, .....	160
Lancaster, .....	323
Berks, .....	240
York, .....	515
Northampton, .....	278
Cumberland, .....	580
	<hr/>
	<u>2,984</u>

Moved and Resolved, That the secretary furnish the members of this House for the several counties in this State with copies of the resolves of last Saturday, in order that they may be transmitted to the several committees and by them to the commanding officers of the several battalions.

Adjourned to four o'clock P. M.

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Monday, August 12, P. M.

The House met, pursuant to adjournment.

On motion, Resolved, That an order be drawn on the council of safety of this State for ten thousand pounds, in favor of the commissioners appointed to go to Headquarters, in Jersey, to form the Flying Camp, which money is to be applied by them to that service.

On motion, Resolved, That no associator of, or belonging to, this State, enlist any men to serve in the Flying Camp for any other county or city than that to which he belongs, until the quotas of such county or city is completed.

The petitions of the captains of the galleys of this State being read, it was, thereupon,

Resolved, That Mr. Schlosser, Colonel Hill, Mr. Samuel Smith, Mr. John Mackey, Col. Lowrey, Mr. Edgar, Mr. M'Clain, Colonel Morgan, Colonel Stroud, Mr. Thomas Coulter, Colonel William Cook and Mr. Edward Cook be a committee to hear the petitioners on the subject matter of their petitions; and the said committee are desired to take the earliest opportunity of attending to this business.

Two ordinances respecting the sale of salt and tea were read the first time and ordered to lie on the table for a second reading.

Adjourned to nine o'clock to-morrow morning.

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Tuesday, August 13, 1776, A. M.

The convention met, pursuant to adjournment.

The House resumed the consideration of the report made

by the gentlemen appointed to consider the granting of commissions for the officers of the Flying Camp, and, after some amendments made therein at the table, it was agreed to in the following terms, viz.:

“That the commissions of the officers of this State, for the Flying Camp, should be granted by this convention, and that a number of blank commissions, signed by the president of the convention, be immediately prepared and delivered to the commissioners appointed to form the Flying Camp, to be by them, and the field officers of the respective battalions, filled up and delivered to the respective officers, having due regard to the time of the appointment of such officers.”

The order of the day was then read, and thereupon the draught of the Declaration of Rights being read, the House resolved itself into a committee of the whole.

Colonel Kirkbride was called to and assumed the chair, and after some considerable time spent in debating thereon, the president resumed the chair, when Colonel Kirkbride reported from the committee, that they had made some progress in the business referred to them, and desired leave of the House to sit again.

Adjourned to four o'clock P. M.

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Tuesday, August 13, 1776, P. M.

The House met, pursuant to adjournment.

The president presented to the convention a petition from some of the inhabitants of Berks county to Congress, praying an exemption of weavers and blacksmiths from personal service, which was referred to this House by Congress. The same being read, was ordered to lie on the table.

The convention then resolved itself into a committee of the whole House. Colonel Kirkbride was called to and assumed the chair, and after some considerable time spent in debating and considering the draught of the Declaration of Rights, the president resumed the chair, when Colonel Kirkbride reported from the committee that they had made considerable progress

in the business committed to them, and desired leave of the House to sit again on Thursday next.

Adjourned to Thursday, the 15th instant, at nine o'clock in the morning.

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Thursday, August 15, 1776, A. M.

The convention met, pursuant to adjournment.

The committee appointed to bring in an ordinance for rendering the burthens of associators and non-associators as equal as possible, reported a draught for that purpose, which, being read, the first time, was ordered to lie on the table for a second reading.

The committee appointed to hear the petitions of the captains of the gallies made a report in writing, which, being, read, was ordered to lie on the table.

A member presented to the House the draught of an ordinance for regulating the militia of the frontier counties in case of Indian incursions, which, being read, was ordered to lie on the table.

The House then, agreeable to the order of the day, resolved itself into a committee of the whole, in order to resume the consideration of the draught of the Declaration of Rights. After some time spent in considering and deliberating thereon, the president resumed the chair, and Colonel Kirkbride reported, from the committee, that they had made some further progress in the business committed to them, but had not completed the same, and desired leave of the House to sit again in the afternoon.

Adjourned to three o'clock P. M.

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Thursday, August 15, 1776, P. M.

The convention met, pursuant to adjournment.

A petition was read from Andrew Hagenbuck and William Stumpff, in behalf of themselves and others, inhabitants of the township of Albany, in the county of Berks, praying that the said inhabitants, being in a frontier country, and apprehensive

of an Indian war, may be excused from marching into Jersey. Ordered to lie on the table.

According to the order of the day, the convention resolved itself into a committee of the whole House. Colonel Kirkbride was called to and assumed the chair; after some further deliberation on the Declaration of Rights, the president resumed the chair, and Colonel Kirkbride, from the committee, reported that they had agreed to the report, which he then delivered into the House, and, being read, the further consideration thereof was postponed.

A petition from a number of the inhabitants of Chester county, praying that Colonel Lloyd's battalion may remain at home, which petition had been presented to the council of safety and is by them referred to this House, was read and ordered to lie on the table.

Upon motion, Resolved, That Colonel Potter be vice-president pro tempore of this convention.

Colonel Kirkbride moved that he might have leave to join his battalion at Amboy, and the question being put, it was carried in the negative.

Adjourned to ten o'clock to-morrow morning.

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Friday, August 16, 1776.

The convention met, pursuant to adjournment.

Colonel Kirkbride again moved for leave of absence in order to visit his battalion at Amboy, till Monday, the 26th instant, and it was thereupon

Resolved, That he have the leave desired, but that this House expects his attendance at the time appointed.

A letter was read from Colonel Dickinson, at the camp complaining of the desertion of some of the associators, and praying that this Convention would provide some remedy in that case, whereupon the House agreed to the following resolutions, viz.:

Whereas, This convention hath received information that several associators of this State have deserted the camp in the face of the enemy, and returned home before the formation of the

Flying Camp, and without leave of their commanding officers, to the great danger of the public and evil example to others; it is, therefore,

Resolved, 1st, That all such associators as shall join their respective corps, at the camp from whence they came, in eight days from this date, with such arms and accoutrements as they may have brought away with them, shall be exempted from any punishment; and those who neglect so to do, shall be apprehended and sent, under a guard to the camp, there to be tried; and in case of absconding, or concealing their arms, that they be advertised in the public newspapers, and the reward of three pounds offered for apprehending every such person; and every associator who shall hereafter desert his colors, shall be treated as those who have already deserted, and neglect to join their respective corps, agreeable to this resolve.

Resolved, 2d, That the commanding officers of the companies or battalions of the militia of this State who are now on their march to New Jersey, do apprehend all deserters they may meet on the road, and convey them under a guard to the camp.

Resolved, 3d, That, notwithstanding the foregoing resolutions, it is not the intention of this convention to detain the militia unnecessarily from home. The associators are, therefore, assured that as soon as the Flying Camp is formed, and the public safety will admit, they shall be permitted to return home.

On motion, The petition from Chester county was read again, and rejected.

The House then resumed the consideration of the report of the committee, respecting the Declaration of Rights, which, being read by paragraphs, received the final assent of this convention, and is as follows, viz.:

A DECLARATION OF THE RIGHTS OF THE INHABITANTS OF THE  
STATE OF PENNSYLVANIA.

1st. That all men are born equally free and independent, and have certain natural, inherent and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety.



2d. That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understanding. And that no man ought or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any ministry, contrary to, or against, his own free will and consent. Nor can any man, who acknowledges the being of a God, be justly deprived or abridged of any civil right as a citizen on account of his religious sentiments, or peculiar mode of religious worship. And that no authority can or ought to be vested in, or assumed by, any power whatever that shall in any case interfere with, or in any manner control, the right of conscience, in the free exercise of religious worship.

3d. That the people of this State have the sole exclusive and inherent right of governing and regulating the internal police of the same.

4th. That all power being originally inherent in, and consequently derived from, the people; therefore, all officers of government, whether legislative or executive, are their trustees and servants, and at all times accountable to them.

5th. That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community, and not for the particular emolument or advantage of any single man, family or set of men who are a part only of that community, and that the community hath an indubitable unalienable and indefeasible right to reform, alter or abolish government in such manner as shall be by that community judged most conducive to the public weal.

6th. That those who are employed in the legislative and executive business of the State, may be restrained from oppression, the people have a right, at such periods as they may think proper, to reduce their public officers to a private station, and supply the vacancies by certain and regular elections.

7th. That all elections ought to be free, and that all free men having a sufficient evident common interest with and attachment to the community, have a right to elect officers or be elected into office.

8th. That every member of society hath a right to be protected

in the enjoyment of life, liberty and property, and, therefore, is bound to contribute his proportion towards the expense of that protection, and yield his personal service, when necessary, or an equivalent thereto. But no part of a man's property can be justly taken from him, or applied to public uses, without his own consent, or that of his legal representatives. Nor can any man who is conscientiously scrupulous of bearing arms, be justly compelled thereto if he will pay such equivalent. Nor are the people bound by any laws, but such as they have in like manner assented to, for their common good.

9th. That in all prosecutions for criminal offenses, a man hath a right to be heard by himself, and his council, to demand the cause and nature of his accusation, to be confronted with the witnesses, to call for evidence in his favor, and a speedy public trial, by an impartial jury of the country, without the unanimous consent of which jury he cannot be found guilty. Nor can he be compelled to give evidence against himself. Nor can any man be justly deprived of his liberty, except by the laws of the land, or the judgment of his peers.

10th. That the people have a right to hold themselves, their houses, papers and possessions free from search or seizure; and, therefore, warrants without oaths or affirmations first made, affording a sufficient foundation for them, and whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his or their property, not particularly described, are contrary to that right and ought not to be granted.

11th. That in controversies respecting property, and in suits between man and man, the parties have a right to trial by jury, which ought to be held sacred.

12th. That the people have a right to freedom of speech, and of writing, and publishing their sentiments; therefore, the freedom of the press ought not to be restrained.

13th. That the people have a right to bear arms for the defense of themselves and the State, and as standing armies, in the time of peace, are dangerous to liberty, they ought not to be kept up. And that the military should be kept under strict subordination to and governed by the civil power.

14th. That a frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry and frugality, are absolutely necessary to preserve the blessings of liberty, and keep a government free. The people ought, therefore, to pay particular attention to these points in the choice of officers and representatives, and have a right to exact a due and constant regard to them, from their legislatures and magistrates in the making and executing such laws as are necessary for the good government of the State.

15th. That all men have a natural inherent right to emigrate from one State to another that will receive them, or to form a new State in vacant countries, or in such countries as they can purchase, whenever they think that thereby they may promote their own happiness.

16th. That the people have a right to assemble together, to consult for their common good, to instruct their representatives, and to apply to the legislature for redress of grievances, by address, petition or remonstrance.

Adjourned to ten o'clock to-morrow morning.

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Saturday, August 17, 1776.

The convention met, pursuant to adjournment.

The petition of James M'Connaughy was read and referred to the council of safety.

On motion, Ordered that the petition of the inhabitants of Albany township, in the county of Berks, be rejected.

On motion, Ordered, That all officers of the militia of this State, who are members of this convention, and all other members who are now absent without leave of this House, or whose times of leave of absence are expired, or who have an indefinite leave of absence, do immediately and without delay, attend their duty in this House. And that Colonel Bull be desired to signify this resolution to such of them, as he shall meet with, in his intended journey to the camp.

Ordered, on motion, That Colonel Bull have leave of absence in order to visit his battalion at Amboy, till Monday, the 26th instant.

Ordered, on motion, That the attention of this House be wholly confined, for the next ensuing week, to the consideration of the frame of government, the ordinance for making equal the burthens of associators and non-associators, and the ordinance for appointing conservators of the peace, unless such emergency should arise, as in the opinion of this House, should supersede these matters.

Moved and Resolved, That the fines to be incurred by the members of this House for non-attendance, or absenting from the House, without leave, shall be punctually collected by the gentlemen appointed, unless they shall give an excuse satisfactory to this House, and that messengers shall be from time to time, sent by order of this House, to compel the attendance of such members as shall, or do, absent themselves without leave, the expense of such messengers to be paid by the delinquents.

Adjourned to eight o'clock on Monday morning.

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MINUTES OF THE CONVENTION FOR THE STATE OF PENNSYLVANIA,

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FROM MONDAY, AUGUST 19, TO SATURDAY, AUGUST 24, 1776.

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Monday, August 19, 1776.

The convention met, pursuant to adjournment.

On motion, Ordered, That this House will, on Monday next, the 26th instant, proceed to the election of members of the council of safety, in the room of those who have neglected or refused to attend that board.

A letter from General Roberdeau, dated Amboy, August 14th and 16th, was read and ordered to lie on the table.

At the same time was read an address made by the General, to the associators under his command, which being highly approved of by this House, was ordered to be printed in the English and German newspapers of this city.

The committee appointed to essay a frame or plan for the future government of this State, brought in a draught for that purpose, which being read, was ordered for consideration on Wednesday next, the 21st instant.

The ordinance for making equal the burthens of associators and non-associators, being read a second time, and about to be read, and debated by paragraphs, it was, on motion,

Resolved, That the said ordinance be recommitted to Mr. Cannon, Mr. Rittenhouse and Col. McPherson.

On motion, Ordered, That Mr. Hubley and Mr. Jacobs be added to the committee appointed to draw up an ordinance for creating conservators of the peace.

The report of the committee for enquiring into the petitions of the captains of the gallies, was read, and, thereupon it was

Resolved, That the said petitions, report and all things relative thereto, be referred to the determination of the council of safety, and that the most full and perfect submission be given by all concerned, to their decision.

Resolved, That the officers in the naval and land service of this State, ought not in all cases to rise in command according to seniority, although a proper regard should be had to that circumstance in promotions where there are equal merit and equal military abilities, of which the council of safety is to judge. And that the said council have full authority to use their best discretion herein, so as most effectually to promote the service. And all officers and others concerned, are hereby strictly required and enjoined to yield and pay full and implicit obedience to all their appointments, regulations and orders, at their peril.

Adjourned to eight o'clock to-morrow morning.

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Tuesday, August 20, 1776, A. M.

The convention met, pursuant to adjournment.

The committee to whom the ordinance for making the burthens of associators and non-associators equal was recommitted, brought in a new ordinance for that purpose, which, being read, the convention resolved itself into a committee of the whole House in order for the greater freedom of debate thereon—Mr. David Rittenhouse was called to and assumed the chair. After some considerable time, the vice president resumed the chair, and Mr. Rittenhouse reported from the committee that

they had made some progress in the business committed to them, and prayed leave of the House to sit again in the afternoon. Whereupon, it was ordered that the committee have the leave desired.

Adjourned to three o'clock P. M.

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Tuesday, August 20, 1776, P. M.

The convention met, pursuant to adjournment.

On motion, Resolved, That the delegates in Congress for this State do apply to the honorable the Continental Congress for the loan of one hundred thousand dollars, to be put into the hands of the council of safety, for the use of this State.

The convention resolved itself into a committee of the whole House, in order to consider further of the ordinance read in the morning. Mr. Rittenhouse was called to and assumed the chair; after a considerable time spent in debate, the vice president resumed the chair and Mr. Rittenhouse reported from the committee that they had made some further progress in the business committed to them, and desired leave of the House to sit again on some future day, which was given accordingly.

Adjourned to eight o'clock to-morrow morning.

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Wednesday, August 21, 1776.

The convention met, pursuant to adjournment.

On motion, Resolved, That the secretary send messengers express for Mr. Wilkinson and Mr. Slaymaker, agreeable to the resolve of this House of the 17th instant, to require their immediate attendance in convention.

On motion, Resolved, That Captain Richard Peters be directed forthwith to appoint proper guards over the stores of Joseph and Stephen Sewell, under the direction of the committee of inspection of the city and liberties of Philadelphia, to prevent the removal of the salt stored therein.

The convention, according to the order of the day, resolved itself into a committee of the whole House, in order to take into

consideration the frame of government. Mr. Rittenhouse was called to and assumed the chair; after a very considerable time employed in debating and deliberating, the president resumed the chair, and Mr. Rittenhouse reported from the committee that they had made some progress in the business committed to them, and desired leave of the House to sit again to-morrow morning, which was given accordingly.

Mr. Crazart had leave of absence, to visit his sick family.

Adjourned to eight o'clock to-morrow morning.

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Thursday, August 22, 1776, A. M.

The convention met, pursuant to adjournment.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole House. Mr. Rittenhouse was called to and assumed the chair; after some time spent in deliberating on the frame of government, the president resumed the chair, and Mr. Rittenhouse reported from the committee that they had made some further progress in the business committed to them, but had not completed it; he, therefore, desired leave of the House to sit again in the afternoon, which was granted.

Adjourned to three o'clock in the afternoon.

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Thursday, August 22, 1776, P. M.

The convention met, pursuant to adjournment.

The committee for bringing in an ordinance for appointing conservators of the peace, reported a draught for that purpose, which, being read the first time, was ordered to lie on the table for a second reading.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole House. Mr. Rittenhouse was called to and assumed the chair; after some time spent in deliberating on the frame of government, the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the busi-

ness committed to them, but had not completed it, and, therefore desired leave of the House to sit again to-morrow, which was granted.

Ordered, on motion, That Colonel Hill have leave of absence to visit his battalion, in Jersey.

Adjourned to nine o'clock to-morrow morning.

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Friday, August 23, 1776, A. M.

The convention met, pursuant to adjournment.

A petition from John Smith and Benjamin Lewis, two languishing prisoners in the gaol of Philadelphia, praying relief from their confinement, was read, and, thereupon, it was

Ordered, That Mr. Cannon and Colonel William Cook be appointed to enquire into the petitioners' case and report thereon to this House.

Agreeable to order, the convention resolved itself into a committee of the whole House. Mr. Rittenhouse was called to and assumed the chair; after some time spent in deliberating on the frame of government, the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, but had not completed it; he, therefore, desired leave of the House to sit again in the afternoon, which was granted.

Adjourned to four o'clock P. M.

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Friday, August 23, 1776, P. M.

The House met, pursuant to adjournment.

According to the order of the day, the convention resolved itself into a committee of the whole House. Mr. Rittenhouse was called to and assumed the chair, and after some time spent in deliberating on the frame of government, the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, but had not completed it; he, therefore, desired leave of the House to sit again, which was granted.



Mr. Thomas Jones had leave of absence for three days.  
Adjourned to eight o'clock to-morrow morning.

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Saturday, August 24, 1776.

The convention met, pursuant to adjournment.

Upon application made by the committee of inspection and observation for the city and liberties of Philadelphia, the House came to the following resolution, viz.:

Whereas, It appears to this convention, upon due enquiry and information of the circumstances, that the salt now in this city has been imported at low prices and under moderate insurance. And Whereas, Divers persons, in contempt of the just and wholesome regulations of the committee, &c., of Philadelphia, under directions of Congress, have continued to dispose of their salt at most exorbitant prices, to the great grievance and distress of their fellow-subjects of this State; it is, therefore,

Resolved, That the said regulations be hereby confirmed, and all persons whatever are hereby strictly enjoined to pay due obedience thereto. And the said committee are hereby authorized and directed to seize and take into their possession the salt belonging to such persons as have refused or shall refuse conformity to the regulations so established, or shall altogether withhold or refuse to sell their salt during the continuance of such regulations, allowing to the said persons, upon the sale thereof, the fixed and settled prices, first deducting the expenses incurred upon the sale.

And Whereas, It is but reasonable that every part of this extensive State should be accommodated, as nearly as may be, with their proportion of this article so justly esteemed a necessary of life, be it

Resolved, That the committee of Philadelphia are hereby further directed to distribute the salt that may as aforesaid come into their possession in equal quantities in the several counties, having regard to the respective numbers of inhabitants contained in the said counties.

The gentlemen appointed to examine into the cases of John

Smyth and Benjamin Lewis report that they are proper objects of the relief and commiseration of this House, and that they are gunlock-makers and willing to engage to work in the factory in this city; it is, thereupon,

Resolved, That the sheriff or gaoler of the city and county of Philadelphia do release and discharge the said John Smyth and Benjamin Lewis out of their or either of their custody, upon their signing a written agreement by which they, and each of them, engage to work at the gun-lock factory in this city.

Adjourned to eight o'clock on Monday morning.

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MINUTES OF THE CONVENTION FOR THE STATE OF PENNSYLVANIA,

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FROM MONDAY, AUGUST 26, TO SATURDAY, AUGUST 31, 1776.

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Monday, August 26, 1776, A. M.

The convention met, pursuant to adjournment.

Colonel Clarke, representing to the House that his indisposition was so great that he could not continue to do his duty in this House without a recess of some time for his refreshment, obtained leave of absence for a few days.

Upon application of Colonels Galbreath and Lowrey, for leave of absence to visit their battalion at Amboy, it was

Resolved, That both have not the leave required, but that one of them may be permitted to go.

On motion, Ordered, That a letter be written to General Mercer, requesting him to grant leave of absence to such gentlemen who are members of this convention, and now in New Jersey under his command, in order that they may attend their duty in this House, provided such leave be compatible with the public safety.

Upon motion, Resolved, That as soon as Colonel Ross's bat-

talion of the militia of Lancaster county shall return into the said county, Colonel Slough be ordered to march his battalion, immediately on their arrival, to the camp in New Jersey. And that the secretary transmit a copy of this resolve to Colonel Slough.

The convention resolved itself into a committee of the whole House, in order to consider of the ordinance respecting the associators and non-associators. Mr. Rittenhouse was called to and assumed the chair; after some time, the president resumed the chair and Mr. Rittenhouse reported from the committee, that they had made some progress in the business referred to them, but not having completed the same, desired leave of the House to sit again in the afternoon, which was granted.

Adjourned to four o'clock P. M.

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Monday, August 26, 1776, P. M.

The convention met, pursuant to adjournment.

Letters from General Roberdeau and Colonel Bull, from Amboy, requesting that Colonel Bull might have leave to stay in the camp, his presence being particularly necessary there, were read, and it was thereupon

Ordered, That Colonel Bull have leave to stay some time longer.

A letter from Colonel Matlack, at Amboy, respecting the Flying Camp was read and ordered to lie on the table.

Some resolves of Congress of the 23d of August instant, desiring this convention to recommend suitable persons for lieutenant colonel and major, and to appoint the captains and subalterns for the six companies to be raised for the counties of Northampton and Cumberland, was read and ordered to lie on the table for further consideration.

The convention then, agreeable to the order of the day, resolved itself into a committee of the whole House, in order to consider of the ordinance respecting associators and non-associators. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair and Mr. Ritten-

house reported from the committee, that they had made some further progress in the business referred to them, but not having completed the same, desired leave of the House to sit again on some future day, which was granted.

The vice-president informed the convention that the Honorable Congress had agreed to lend to this State the one hundred thousand dollars mentioned in the minute of the 20th of August instant, and that he had obtained an order on Michael Hillegas, Esq., the Continental Treasurer, for that sum. whereupon, it was

Resolved, That the president draw an order for thirty thousand dollars, part thereof, in favor of Colonel Kirkbride and Colonel M'Pherson, who are to deliver the same to Colonel Clarke, now on his journey to the camp in New Jersey, who is to deliver over the same to Colonel Matlack and Colonel Slagle, two of the commissioners appointed to form the Flying Camp.

The said order was accordingly drawn and signed by the president and delivered to Colonel Kirkbride and Colonel M'Pherson.

Adjourned to nine o'clock to-morrow morning.

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. Tuesday, August 27, 1776, A. M.

The convention met, pursuant to adjournment.

A petition from several of the inhabitants of Tulpehocken, in Berks county, praying that some of the associators in that part of the country may remain to protect them against the Indians and banditti, was read and referred to the council of safety.

A letter from General Mercer, to the President of the Congress, was read and referred to the council of safety.

The House resumed the consideration of the bill for the appointment of conservators of the peace, &c., and after some time it was ordered to be re-committed to the same committee, with the addition of Colonel Ross and Mr. Clymer.

Mr. Clymer informed the House that the artillery companies of this city, at Amboy, were desirous of being put on the same

footing with the other militia with respect to their being relieved after having served the usual time.

Ordered, That the request be referred to the council of safety.

Adjourned to three o'clock P. M.

---

Tuesday, August 27, 1776, P. M.

The convention met, pursuant to adjournment.

The House resumed the consideration of the bill for appointing conservators of the peace, and the same being read and debated by paragraphs, was ordered to be transcribed for a third reading.

Colonels Kirkbride and M'Pherson reported that they had received the thirty thousand dollars of Mr. Hillegas and paid them to Colonel Clarke, agreeable to the directions of yesterday.

Adjourned to nine o'clock to-morrow morning.

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Wednesday, August 28, 1776, A. M.

The convention met, pursuant to adjournment.

Major William Coats, one of the members for Philadelphia county, appeared in the House for the first time, took the oath and made and subscribed the profession of faith required.

The House resumed the consideration of the salt belonging to Joshua Fishers and Sons, and thereupon came to the following resolve, viz.:

Whereas, A quantity of salt, belonging to Joshua Fisher and Sons, imported contrary to the non-importation agreement, remains stored under the care of the committee of inspection of the city and liberties of Philadelphia, and the same being an article of general use, and the present necessity thereof very urgent; therefore,

Resolved, That the said committee dispose of the said salt among the inhabitants of the city of Philadelphia, and the several counties of this State, in proportion to the reputed numbers in each, allowing to the owners a reasonable compensation for the same.

Adjourned to three o'clock in the afternoon.

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Wednesday, August 28, 1776, P. M.

The House met, pursuant to adjournment.

The convention resolved itself into a committee of the whole House, in order to take into consideration the ordinance respecting associators and non-associators. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair, when the chairman reported from the committee, that they had made some further progress in the business committed to them, but not having quite finished the same, desired leave to sit again on some future day, which was granted.

The ordinance respecting treason and misprison of treason was read again, and ordered to be printed before it be finally passed.

Adjourned to nine o'clock to-morrow morning.

---

Thursday, August 29, 1776, A. M.

The convention met, pursuant to adjournment.

It was moved by a member for Northampton county that as the militia of that county was ordered not to march into Jersey, that, therefore, their second quota for the Flying Camp must be made up at home, and that it was necessary that the bounty money should be sent up thither. Whereupon, it was

Resolved, That the president draw an order on Michael Hillegas, Esq., for the sum of £834, to be paid to Mr. Neigle Gray and Major Jacob Arndt, to be by them transmitted to North-

ampton county, in order to pay the bounty for the second quota for the Flying Camp for that county; which order was drawn accordingly and signed at the table.

The House then resolved itself into a committee of the whole, to consider of the draught of the frame of government. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair and Mr. Rittenhouse reported from the committee that they had made some further progress therein, but not having completed the same, desired leave to sit again in the afternoon, which was granted.

Adjourned to three o'clock this afternoon.

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Thursday, August 29, 1776, P. M.

The convention met, pursuant to adjournment.

The House, agreeable to the order of the day, resolved itself into a committee of the whole, to consider of the draught of the frame of government. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress therein, but not having completed the same, desired leave to sit again to-morrow, which was granted.

Adjourned to nine o'clock to-morrow morning.

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Friday, August 30, 1776, A. M.

The convention met, pursuant to adjournment.

The convention, agreeable to the order of the day, resolved itself into a committee of the whole House, to consider of the draught of the frame of government. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair and Mr. Rittenhouse reported from the committee, that they had made further progress therein, but not having completed the same, desired leave to sit again in the afternoon, which was granted.

Adjourned to four o'clock P. M.

Friday, August 30, 1776, P. M.

The convention met, pursuant to adjournment.

The convention, agreeable to the order of the day, resolved itself into a committee of the whole House, to consider of the draught of the frame of government. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made further progress in the business referred to them, but not having completed the same desired leave of the House to sit again to-morrow, which was granted.

Adjourned to nine o'clock to-morrow morning.

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Saturday, August 31, 1776.

The convention met, pursuant to adjournment.

A petition from Peter Withington, praying to be appointed a captain of one of the companies to be raised in Northampton and Northumberland, was read and ordered to lie on the table.

A memorial of Stephen and Joseph Shewell, justifying their conduct with respect to their salt, was read and ordered to lie on the table.

The convention then resolved itself into a committee of the whole House, in order to take into consideration the frame of government. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some progress therein, but not having completed it, desired leave to sit again, which was granted.

Colonel Kirkbride requested leave of absence to join his battalion at Amboy. Whereupon, it was

Ordered, That he have not the leave of this House.

Adjourned to nine o'clock on Monday morning.



## MINUTES OF THE CONVENTION FOR THE STATE OF PENNSYLVANIA,

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FROM MONDAY, SEPTEMBER 2, TO SATURDAY, SEPTEMBER 7, 1776.

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Monday, September 2, 1776, A. M.

A number of the members met, but there not appearing a quorum,

Adjourned to three o'clock in the afternoon.

---

Monday, September 2, 1776, P. M.

The convention met, pursuant to adjournment.

A memorial from the committee of inspection of Cumberland county, setting forth the advices they had received from the frontier inhabitants, respecting their apprehensions of an Indian war, and praying that some of their militia might be permitted to remain at home for their protection, was read and ordered to be referred to the council of safety.

A petition from John Timmons, a prisoner confined in Carlisle jail, on suspicion of murder, asserting his innocence and praying to be admitted to bail, was read and ordered to lie on the table.

On motion, Ordered, That Col. Ross and Col. Thomas Smith be a committee to bring in an ordinance empowering the justices of peace in this State in certain cases, to compel debtors to give security to their creditors.

Adjourned to nine o'clock to-morrow morning.

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Tuesday, September 3, 1776, A. M.

The convention met, pursuant to adjournment.

Mr. Hubley moved for leave of absence, but perceiving the House not inclined to grant his request, withdrew it, but, nevertheless, desired that it might be entered on the minutes.

A member informing the House that Col. M'Pherson had received an account of the loss of a son in the late battle on Long Island, and that he desired leave to visit his afflicted family on that melancholy occasion; it was thereupon

Ordered, That Col. M'Pherson have leave of absence.

The House then proceeded to the third reading of the ordinance for appointing justices of the peace in this state, which being compared at the table, was passed into an ordinance, and ordered to be signed by the president; the said ordinance follows in these words.

[Printed in full in text. See page 13.]

Passed in Convention, September 3, 1776, and signed by their order,

B. FRANKLIN, President.

Attest: John Morris, Jun., Secretary.

The House then resolved itself into a committee of the whole, in order to take into consideration the frame of government. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, but not having completed the same, desired leave to sit again in the afternoon, which was granted.

Adjourned to three o'clock in the afternoon.

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Tuesday, September 3, 1776, P. M.

The House met, pursuant to adjournment.

The convention then resolved itself into a committee of the whole House in order to take into consideration the frame of government. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee that they had made some further progress in the business committed to them, but not having completed it, desired leave to sit again to-morrow; which was granted.

Adjourned to nine o'clock to-morrow morning.

Wednesday, September 4, 1776, A. M.

The convention met, pursuant to adjournment.

A memorial from Messrs. Carahan and Proctor, two Colonels of the militia of Westmoreland county, informing that their two battalions wanted about 400 stand of arms, and also praying that this House would settle some mode of calling out the militia in case of invasion, was read, and

Ordered, To lie on the table.

A petition from Andrew Ledlie, of Easton, in Northampton county, complaining of great ill usage from some of the inhabitants of that town, on account, as he apprehends, of his attachment to the cause of liberty, was read, and ordered to be referred and recommended to the justices of the peace appointed for that county, to take immediate notice of the complaints of the said petitioner, and afford him all the redress and security which the nature of his case requires.

A petition from William Hardy, praying to be appointed the officer for this state to register those who shall be disabled in the service of the United States, agreeable to the resolve of Congress of the 26th of August last, was read, and referred to the future legislature of this state.

Ordered, That a messenger be sent to Benjamin Bartholomew, Esq., an absent member of this House, to compel his attendance on his duty in this House.

It being represented that, in the ordinance for constituting justices, there is no direction before whom the president of the council of safety shall be qualified as a justice of the peace for this state; thereupon it was

Ordered, That he take and subscribe the oath or affirmation required by said ordinance, before the Honorable the president of this convention.

The House resumed the consideration of the ordinance respecting treason and misprison of treason, and ordered the same to be engrossed for a third reading.

Adjourned to three o'clock in the afternoon.

Wednesday, September 4, 1776, P. M.

The convention met, pursuant to adjournment.

The House resolved itself into a committee of the whole, to take into consideration the frame of government. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress therein, but not having completed the same, desired leave of the House to sit again to-morrow, which was granted.

Adjourned to nine o'clock to-morrow morning.

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Thursday, September 5, 1776, A. M.

The convention met, pursuant to adjournment.

Major Arndt informing the House that he had received an account that his son was wounded in the late battle on Long Island, and was now lying ill at Bergen, desired leave to visit him, which was granted on his promise to return as soon as he conveniently could.

The convention then resolved itself into a committee of the whole House, in order to resume the consideration of the frame of government. Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported, from the committee, that they had finished the business referred to them and were ready to report thereon.

A letter from Mr. Hancock, with some resolves of Congress of the third instant, requesting that this State would immediately send forward to New York all the aid they can in the present dangerous and critical state of affairs, was read and ordered to lie on the table for consideration.

Adjourned to half past three o'clock in the afternoon.

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Thursday, September 5, 1776, P. M.

The House met, pursuant to adjournment.

The report of the committee of the whole House on the frame of government was now read, and thereupon it was

Ordered, That the president, Mr. Rittenhouse and Mr. Vanhorn be desired to revise the same and make such alterations therein, in method and style, without affecting the sense, as they may think proper, and, when that is done, to get four hundred copies printed for public consideration.

The House then proceeded to the third reading of the ordinance for treason and misprison of treason, which being compared at the table, was passed into an ordinance and ordered to be signed by the president. The said ordinance follows in these words:

[Printed in full in text. See page 18.]

Passed in convention, September 5th, 1776, and signed by their order.

B. FRANKLIN, President.

Attest: JOHN MORRIS, Jun., Secretary.

Adjourned to nine o'clock to-morrow morning.

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Friday, September 6, 1776, A. M.

The convention met, pursuant to adjournment.

The convention resolved itself into a committee of the whole House, to consider of the ordinance respecting associators and non-associators. Mr. Rittenhouse was called to and assumed the chair; after some time the vice-president resumed the chair and Mr. Rittenhouse reported, from the committee, that they had essayed a draught of an ordinance respecting the associators and non-associators, which, being read, was ordered to lie on the table for a second reading.

On motion, Ordered, That Major Coats and Mr. Jacobs be a committee to enquire into the number of copies of the laws of Pennsylvania that was printed by order of the late government, how many of them have been disposed of and in what manner and what number of them remain in the hands of the printer, and make report to this House.

The House resumed the consideration of the resolves of Congress of the 23d of August, respecting the companies to be raised in the counties of Northampton and Northumberland.

And, upon motion, it was Ordered, That the delegates in

Congress for Pennsylvania represent to that honorable board the difficulties which this House apprehends will obstruct the raising the men in the manner proposed by those resolves.

An ordinance, respecting advisedly writing and speaking against the American cause was read the first time and ordered to lie on the table for a second reading.

Adjourned to three o'clock in the afternoon.

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Friday, September 6, 1776, P. M.

The convention met, pursuant to adjournment, and Adjourned to nine o'clock to-morrow morning.

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Saturday, September 7, 1776.

The House met, pursuant to adjournment.

Application was made to this convention, by the captain of a vessel who arrived here this morning with a cargo of salt, to know whether he was at liberty to dispose of it, without any regard to the regulations made respecting that commodity.

Whereupon, after debate, it was Resolved, unanimously, That this House will not, in any manner, interfere with the said salt, but that the owner has a right to sell or dispose of it, at such rates and to such persons, as he may think proper.

The House then proceeded to the second reading of the ordinance respecting associators and non-associators, and, after a considerable time spent in debating thereon by paragraphs, Adjourned to nine o'clock on Monday morning.

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MINUTES OF THE CONVENTION FOR THE STATE OF PENNSYLVANIA,

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FROM MONDAY, SEPTEMBER 9, TO SATURDAY, SEPTEMBER 14, 1776.

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Monday, September 9, 1776, A. M.

A number of the members met, but not being a quorum, Adjourned to three o'clock in the afternoon.

Monday, September 9, 1776, P. M.

The convention met, pursuant to adjournment.

After the clause in the ordinance, respecting associators and non-associators, wherein it is ordained that non-associators shall pay at the rate of 20s. per month was carried in the affirmative, it was moved that the yeas and nays might be taken on that clause, and, thereupon, it was

Resolved, That the yeas and nays be not taken.

On motion, Ordered, That the president pro tem. draw an order on the treasurer for the sum of twelve pounds, in favor of William Sheed, door-keeper to this convention, for his wages till this time, being 48 days, at 5s. per diem.

The House proceeded in the further consideration of the bill respecting associators and non-associators, and after some time spent therein,

Adjourned to nine o'clock to-morrow morning.

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Tuesday, September 10, 1776.

The House met, pursuant to adjournment.

A letter dated the 5th instant, at Kingsbridge, from Lieutenant-Colonel Broadhead, of the Pennsylvania forces, was read, giving a relation of the battle on Long Island, and a particular account of the behavior of the Pennsylvanians on that occasion, and of the wants of the soldiers, who had, most of them, lost their blankets, which they had thrown away in the engagement. This letter also contained the returns of the three regiments under his command, and some enquiries respecting the rank, &c., of the officers.

A letter dated the 5th instant, at Amboy, from Colonel Slagle, was read, complaining of his ill state of health, and desiring that another commissioner may be appointed in his stead.

A letter of the 31st of August, from the Indian Commissioners at Fort Pitt, was read, communicating the information they had received respecting the danger of an Indian war. Whereupon, it was

Resolved, That Colonel Thomas Smith, Col. Potter and Major

James Smith be a committee to confer with the Committee of Congress for Indian Affairs on that subject, and on the most proper mode of defending the frontiers.

Resolved, That Col. Matlack, Mr. Cannon, Mr. Rittenhouse, Mr. Whitehill and Mr. Edward Cook be a committee to take into consideration all the military affairs of this State, respecting the Flying Camp and the operations of the war to the eastward, and that they make an essay of such temporary regulations for the militia as may render it more effectual for the immediate public defense.

Colonel Matlack, one of the commissioners for forming the Flying Camp, being now returned, informed the convention, among other things, of the difficulties that had occurred with respect to the two companies of artillery of the militia of this State now at Amboy. And that, in order to relieve them as expeditiously as possible (after they had cheerfully staid considerably beyond the usual time) the commissioners had agreed to advance a month's pay, in addition to the bounty, to such as would enlist in that service. Whereupon, the House expressed their approbation of their conduct therein.

A member informed the House of some inconveniences and discouragements, which he had observed, arising from the small number of general officers belonging to this State, and desired that the convention would take that matter into consideration.

Adjourned to nine o'clock to-morrow morning.

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Wednesday, September 11, 1776, A. M.

The convention met, pursuant to adjournment.

Some gentlemen of the committee of inspection for the city and liberties of Philadelphia, waited on the convention with an application from that board, setting forth that they had continued acting, by the direction of this House, now above four weeks beyond the time for which they were originally chosen, and that they proposed to dissolve themselves on Tuesday evening next. But that, previous thereto, they submitted to this House, whether a new committee should be chosen and, if



so, that then a new line of conduct should be drawn for them.

The House resumed the consideration of the ordinance respecting the burthens of associators and non-associators, and, after considerable time spent therein, it was re-committed to Mr. Cannon, Mr. Rittenhouse, Col. James Smith and Col. Matlack.

Adjourned to three o'clock in the afternoon.

---

Wednesday, September 11, 1776, P. M.

The convention met, pursuant to adjournment.

The House proceeded to the second reading of an ordinance respecting the advisedly speaking and writing against the American cause, which, being read and debated by paragraphs, was ordered to be engrossed for a third reading.

The committee appointed to bring in an ordinance respecting debtors giving security in certain cases, reported a draught for that purpose, which, being read, was ordered to lie on the table for a second reading.

The House then proceeded to the election of four members of the council of safety, in the room of Nathaniel Falconer, Jonathan B. Smith, Samuel Mifflin and Samuel Morris, Jun., when John Bayard, John Cox, Francis Gurney and Samuel Cad. Morris were chosen by ballot members of the said council of safety for this State.

A memorial of William Wild to the Congress, and by them referred to this House, is by this convention referred to the council of safety.

A petition of Lawrence Feagan, relating to the damage he sustained by reason of a riot among the soldiers at the barracks, was read, and ordered that the same be referred to the council of safety.

Adjourned to nine o'clock to-morrow morning.

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Thursday, September 12, 1776, A. M.

The convention met, pursuant to adjournment.

The ordinance for obliging debtors to give security in certain

cases was read a second time, and after being debated by paragraphs, was ordered to be transcribed for a third reading.

Adjourned to three o'clock in the afternoon.

---

Thursday, September 12, 1776, P. M.

The convention met, pursuant to adjournment.

The ordinance respecting advisedly speaking and writing against the American cause was read for the third time and passed into an ordinance in the following words, viz.:

[Printed in full in text. See page 19.]

Passed in convention September 12, 1776, and signed by their order,

GEORGE ROSS, Vice-President.

Attest: JOHN MORRIS, Jun., Secretary.

Information being given to this Convention, that the battalion, or a part of the same, under the command of Colonel Peter Grubb, of Lancaster county, after having received one month's pay advance, and having also been supplied with a number of arms in this city, have returned home without marching into New Jersey, and without being discharged, and have taken the said arms with them,

Resolved, That the council of safety do forthwith make diligent and strict inquiry into this matter, and that they have power to call before them the colonel and such other officers of the said battalion as they shall judge necessary.

A petition from six captains of companies of Col. Montgomery's battalion of Chester county, Pennsylvania militia, complaining that they had not received their pay, and desiring the interference of this House was read and ordered to lie on the table.

The House resumed the consideration of the bill respecting associators and non-associators and, after some time spent therein,

Adjourned to nine o'clock to-morrow morning.

Friday, September 13, 1776, A. M.

The Convention met, pursuant to adjournment.

The House proceeded to the second reading of the ordinance respecting associators and non-associators, and the same being debated by paragraphs, was ordered to be transcribed for a third reading.

Adjourned to three o'clock in the afternoon.

---

Friday, September 13, 1776, P. M.

The Convention met, pursuant to adjournment.

The committee appointed to consider of the military affairs of this State, made their report in writing, which, being read, was ordered to lie on the table for consideration.

The ordinance compelling debtors to give security, being compared at the table, was read a third time and ordered to pass into an ordinance in the following words:

[Printed in full in text. See page 21.]

Passed in Convention, September 13, 1776, and signed by their order,

JAMES POTTER, Vice-president pro tem.

Attest: JOHN MORRIS, Jun., Secretary.

Two petitions from the townships of Upper and Lower Smithfield, Delaware and Hamilton, in the county of Northampton, praying a supply of ammunition, &c., were read and referred to the council of safety.

The House being informed that Mr. Swoope, the gentleman chosen the member of the council of safety for the county of York, had accepted the command of a battalion in the Flying Camp, now proceeded to the choice of another member for that county, when Colonel Joseph Donaldson was chosen by ballot to that office.

On motion, Resolved, That the members of the council of safety for this State, who have not hitherto made and subscribed the oath or affirmation of office, may take and subscribe

the same before any justice of the peace for the county wherein they respectively reside.

Resolved, That on Monday next this House will resume the consideration of the frame of government.

Adjourned to nine o'clock to-morrow morning.

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Saturday, September 14, 1776.

The Convention met, pursuant to adjournment.

A return of such men of Colonel Montgomery's battalion of Chester county militia, who left the camp in New Jersey without regular discharges, was made to the House, and referred to the council of safety.

Whereas, from the letters received from the commissioners for Indian Affairs for the Middle Department, with the affidavit therein enclosed, there is too much reason to apprehend that the Indians have been encouraged by the agents of his Britannic Majesty to fall on the frontiers of these States; therefore, it behooves this Convention to take every prudent precaution for the safety of our western frontiers, and as, by the resolves of the late Assembly of this State, the council of safety have the sole power of calling out the associators within the same, but, by reason of the great distance of the frontier counties, and by reason that it may be absolutely necessary, at a very short warning, to order out the associators of the said counties, or such part of them, from time to time, as persons on the spot can only judge thereof,

Resolved, That the member of the council of safety for the county of Bedford, and Bernard Dougherty, William M'Comb, James Anderson and Robert Elliott, of the said county; and that the member of the council of safety for the county of Northampton, and Nicholas Dupui, David Deshler, Herman Schneyder and Arthur Lattimore, of the said county; and that the member of the council of safety for the county of Northumberland, and William M'Clay, Michael Troy, Walter Clark and Laughlin M'Cartney, of the said county; and that the member of the council of safety for the county of Westmoreland, and Samuel Sloane, William Lockray, John Giffen and

Christopher Trubey, of the said county, respectively, or a majority of them in each county, respectively, be, and they are hereby empowered to order or approve of the going out of such part of the associators as they may think necessary, in case of an actual invasion, to march to the protection of such part of the said counties as may be exposed to the depredations of the Indians, or to repel any attack which may be made by them, in the most effectual manner. And in case of any sudden invasions made by the Indians, and not otherwise, the captain or commanding officer of any company, in the said county, is hereby empowered to order out such part of his company as he may judge necessary for the purpose aforesaid. And in case any of the said counties should be invaded, the said members of the council of safety, and commissioners of the said other counties, respectively, are hereby empowered, as often as they shall judge necessary, to order out the associators, or a part of them, for the assistance of such county which may be so invaded. And the member of the council of safety, and his associates for the respective counties aforesaid, are hereby directed to make out the accounts of the pay, subsistence and necessary expenses of such associators as shall be called out as aforesaid, and lay the same before the council of safety or future Assembly of this State, in order that the same, appearing to them just and reasonable, may be paid.

The committee, who were appointed to confer with the honorable delegates in Congress, from the State of Virginia, on the settlement of a temporary boundary between the State of Virginia and this State, reported to the Convention, that they met the said delegates, who delivered to them the following resolve of the Convention of Virginia, and the following letter from the committee of safety of that State to their delegates, as their proposal on their subject. In answer to which the committee delivered the letter and proposal (which answer and proposal the committee approve of) in reply; to which they received the letter herein after last mentioned, by which it appears that the power of the honorable delegates, on this subject, is at an end. But, as they therein inform the committee, that they will, without delay, transmit their proposal to the Governor

and Council of Virginia, in order to be laid before the General Assembly of that State; this Convention having the utmost confidence that that honorable body will readily agree to any proposal that will settle the disputes in question, on the principles of justice and equity, do therefore warmly recommend the settlement of the said line, on these principles, to the future Assembly of this State. And, in the meantime, it is earnestly recommended to the inhabitants of that part of the country to forget their former heats and animosities, which were fomented by those who were equal enemies to both States, and to promote peace and harmony, and to cultivate a good understanding with one another, as they tender the liberty and happiness of both States, as well as of America in general, which can only be preserved by the union of all her sons.

Virginia, in Convention, June 15th, 1776.

Whereas, Disputes have for some time subsisted between the people settled under the government of this colony and others settled under the proprietors of Pennsylvania, which cannot be determined for want of having the boundary between the two countries settled and ascertained; and as the people are uncertain which government they ought to submit to, consequences of the most alarming nature are justly to be apprehended from a contention and clashing of jurisdictions between the magistrates and officers of the respective countries: For prevention whereof, and in order to restore peace and harmony to all those people: Resolved, That it be proposed to the General Assembly or Representatives of the people of the province of Pennsylvania, to agree to the following temporary boundary between the two countries, that is to say, from that part of the meridian of the head fountain of Potowmack, where it is intersected by Braddock's Road, along the said road to the great crossing of Youghagany; thence down the meadows of that river to the Chestnut Ridge; thence along that ridge to the easterly branch of Jacobs creek, otherwise called Greenlick-run; thence down the said run to Braddock's Old Road; thence along the same and the new road leading to Pittsburg, to a place called the Bullock Pens, now in the tenure of William

Elliott, and from thence a direct course to the mouth of Plumb-run, on the Allegheny river, above Colonel Croghan's. Which lines this Convention are of opinion will give most general satisfaction to the inhabitants, as it will nearly leave them in the respective country under which they settled. That the present inhabitants on either side the line ought quietly to enjoy their possessions, and be subject to the regulations of the government they will remain in, without considering under which they derive their title, until a final and ultimate boundary can be settled, when nothing, which may be done in consequence of this agreement shall tend to prejudice the titles of individuals or the claim of either country to a fair and equal boundary.

EDMUND PENDLETON, President.

JOHN TAZEWELL, C. C.

Ordered, That the committee of safety be desired immediately to transmit the foregoing resolution to the delegates appointed to represent this colony in General Congress, requesting them to negotiate the same on the part of this colony.

EDMUND PENDLETON, President.

JOHN TAZEWELL, C. C.

Williamsburg, June 17, 1776.

Gentlemen: The confusion which hath for some time happened amongst the people in the disputed lands between Pennsylvania and this colony, and a representation to the Convention that a civil war was likely to be the consequence if something was not done to prevent it, induced that body to take the subject into consideration, who were sorry to discover that a jealousy seemed to prevail in the governing powers of Pennsylvania, of our intending the garrisons on the Ohio to influence that dispute, and to over-awe their people. Whereas, we only mean by them to protect our people and those in the contested settlement from the danger they are exposed to of Indian ravages, without the most distant view to offer any injury to our friends and neighbors, with whom it is our inclination as well as interest to unite, a temporary boundary appeared to the Convention the only means of quieting the people, until we have leisure to refer the final decision to some

arbitrating power between us, and in fixing that, they judged, that to point a line which would most nearly leave the inhabitants in the country they respectively settled under, would be most likely to give general satisfaction; and having examined several gentlemen well acquainted with that country, who were of opinion that end would be answered by the line described in the enclosed resolution, they have resolved to propose that line to the Pennsylvania Assembly, and have commanded us to transmit it to you, requesting that you would negotiate the matter in such manner as you shall think most effectual.

We are, with great regard, gentlemen,

Your obedient humble servants,

EDMUND PENDLETON,  
DUDLEY DIGGES,  
P. CARRINGTON,  
THOMAS LUD. LEE,  
WILLIAM CABELL,  
JOS. JONES.

To the Honorable the Virginia Delegates in Congress.

The committee of the Honorable Convention of the State of Pennsylvania, appointed to confer with the Honorable Delegates in Congress from the State of Virginia on the settlement of a temporary boundary between the said States are of opinion that the line proposed by the honorable delegates will be very wide from the true limits of Pennsylvania, according to the Charter. And as the State of Virginia in one of their most solemn acts, published as the future form of government for that State, and intending thereby to lay the most solid basis for union and confederation with the neighboring States, has "ceded, released and forever confirmed, to the people of this State all the territories contained within the charter erecting this colony, with all the rights of property, jurisdiction and government, and all other rights whatever," the proposing a temporary boundary, which would cut off so large a part from this State, seems inconsistent with the said full, free and absolute release, and instead of being the basis of union, would certainly be the occasion of much confusion; and as the minds



of the inhabitants of that part of the country are greatly agitated by the disputes between the two governments, we have reason to apprehend fatal consequences should a temporary boundary so apparently partial be agreed to, even upon the principle mentioned by the Honorable Convention of Virginia in their resolve, empowering their delegates to confer on this subject (supposing it equitable, which may be liable to dispute), the line proposed, we apprehend, cannot be admitted, and we are convinced that honorable body must have been misinformed as to the settlement of that part of the country which lies between the temporary boundary proposed and the true line. We can assure the honorable delegates that it is far from the wish of the people of this State to extend the same beyond its due bounds, it is equally far from their wish to establish a temporary jurisdiction confessed far within those bounds, as such a temporary boundary would, on many accounts, be productive of more confusion and greater inconveniences than if it was permanent and final.

Therefore, as the only means of restoring peace and unity amongst the inhabitants of the frontiers of each State, it is our earnest desire that a temporary boundary as nearly correspondent to the true one as possible, and such as will "do no injury to either party" should be run, which may be done in a very short time and at a trifling expense, with no considerable error by one or more commissioners appointed on the part of each State.

It will give us great pleasure should this proposal meet with the approbation of the honorable delegates, as such a settlement will enable the inhabitants to join heart and hand in the great cause wherein we are all equally interested.

DAVID RITTENHOUSE,  
THOMAS SMITH,  
ALEXANDER LOWREY,  
OWEN BIDDLE,  
JAMES POTTER,  
EDWARD COOK."

The Virginia delegates have received the proposal for establishing a temporary boundary between the State of Virginia

and Pennsylvania, from the committee of the Honorable Convention of the State of Pennsylvania, and for answer say: That their power is ended, having been expressly limited to the line already proposed to the Honorable Convention of the State of Pennsylvania, as a temporary boundary. That they will, without delay, transmit the proposal of the honorable committee to the Governor and Council of the Commonwealth of Virginia, in order to its being laid before the General Assembly which meets early in October next, and in the meantime they wish the influence of both governments may be exerted to preserve friendship and peace between the people of both States on the controverted boundary.

THOMAS NELSON, JUN.,  
RICHARD HENRY LEE,  
FRANCIS LIGHTFOOT LEE.

Philadelphia, 12th September, 1776.

The House proceeded to the third reading of the bill respecting the burthen of associators, and the same being compared at the table was passed into an ordinance in the following words, viz.:

[Printed in full in text. See page 22.]

Passed in Convention, September 14, 1776, and signed by their order,

B. FRANKLIN, President.

Attest: JOHN MORRIS, JUN., Secretary.

Adjourned to two o'clock on Monday afternoon.

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MINUTES OF THE CONVENTION FOR THE STATE OF PENNSYLVANIA,

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FROM MONDAY, SEPTEMBER 16, TO SATURDAY, SEPTEMBER 21, 1776.

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Monday, September 16, 1776, P. M.

The Convention met, pursuant to adjournment.

The House, agreeable to the order of the day, resumed the consideration of the frame of government.

It was moved by Colonel Ross, and seconded by Mr. Clymer, that the first and second sections of the proposed frame of government be debated upon and amended. Whereupon, it was

Resolved, That the further debate on the second section is precluded, because it was fully debated and determined before, as appears by the minutes of the first and second of August last.

Moved and seconded, That the yeas and nays on any question in the frame of government shall be entered on the minutes, when it shall be requested by any four members, but, the previous question being put, it was determined that the question be not now put.

Adjourned to nine o'clock to-morrow morning.

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Tuesday, September 17, 1776, A. M.

The Convention met, pursuant to adjournment.

The House resumed the consideration of the frame of government.

Adjourned to three o'clock in the afternoon.

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Tuesday, September 17, 1776, P. M.

The Convention met, pursuant to adjournment.

The House resumed the consideration of the frame of government.

A member informed the House that there were now in town two Shawanese Indians who were soon about to return home, and proposed that the Convention should take some friendly notice of them, and embrace this opportunity of sending a message to the Shawanese Nation. Whereupon, it was

Ordered, That Mr. Jacobs, Col. Lowrey and Major James Smith be a committee to prepare a speech and wampum for a conference with the said Indians.

Adjourned to nine o'clock to-morrow morning.

Wednesday, September 18, 1776, A. M.

The Convention met, pursuant to adjournment.

The committee appointed to prepare a speech, &c., to the Shawanese Indians, reported a draught thereof, and that they had procured some wampum according to order. The said draught, being read, was approved.

On motion, Resolved, That the sum of forty dollars be given to the said two Indians as a present, but, the money not being now here, the gift and interview were deferred till to-morrow morning.

The House then resumed the consideration of the frame of government, and after some deliberation thereon, it was

On motion, Ordered, That Col. Matlack, Mr. Jacobs and Mr. Hubley be a committee to revise and bring in a substitute for the fifteenth section.

Adjourned to three o'clock in the afternoon.

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Wednesday, September 18, 1776, P. M.

The Convention met, pursuant to adjournment.

The House resumed the consideration of the frame of government, and, after some considerable time employed therein,

Adjourned to nine o'clock to-morrow morning.

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Thursday, September 19, 1776, A. M.

The Convention met, pursuant to adjournment.

The gentlemen appointed to revise and bring in a substitute for the 15th section of the bill reported a draught thereof, which was read.

The two Indians now attending, the president read to them the message to their nation, which, being translated by Colonel Lowrey, was delivered to them in writing, and is as follows:

The State of Pennsylvania, by their representatives in Convention, at Philadelphia, to their Brethren the Shawanese Indians:

Brethren! Listen to us!

We have been much pleased to see our brothers, the Shawanese, among us, and we hope they are well satisfied with their visit to our towns. They can tell you that we keep our roads open and clear from all bad weeds, briars and thorns.

A string.

Brothers!

We hope you will also be careful of your roads, and not suffer the evil spirit to interrupt our ancient friendship.

A string.

Brothers! Listen to us!

The great council of the Thirteen United States have appointed commissioners to speak to you, at Pittsburg, about our ancient friendship. We desire you will listen to them, and you may depend that your white brethren, who have grown out of this same big island with you, will hold fast the ancient covenant-chain of friendship entered into by our ancestors. And we desire, brethren, that you will not let our friendship go, but that you will be strong in the good work of peace, which you are invited to meet about at Pittsburg, and not listen to the evil spirit, which, you know, has been striving to make mischief between us, for we, on our parts, are resolved to preserve our ancient friendship with you. And we desire you will assist your white brethren of the United American States to live in peace with all nations. To confirm our words, we send, by our brothers, Wenthissica and Pellawa, this belt, which we desire you will shew in council to all our Indian brethren of every nation.

A belt.

After which the present of twenty dollars to each was made and thankfully received by them.

It was also, on motion,

Ordered, That it be recommended to the inhabitants of this State in general and particularly to the committees of the several counties, to treat with respect the bearers, Wentissica and Pellawa, two Shawanese Indians, and, if occasion should require, to afford them protection as they travel on their journey home, they being the bearers of a message from this Convention to their nation.

Some letters from the Commissioners for Indian affairs, at Fort Pitt, to the committee of Westmoreland county, and from the said committee to their members in this Convention, dated the 31st of August, and the 1st and 8th of September instant, relative to the danger of an Indian war, and requesting a supply of arms and ammunition, were read and ordered to be referred to the council of safety.

A letter from Colonel Kachlean, dated at Amboy, September 11th, 1776, informing of some deserters from his battalion of the Bucks county militia, was read and referred to the council of safety.

The House then resumed the consideration of the frame of government, and, after some time employed therein,

Adjourned to three o'clock in the afternoon.

---

Thursday, September 19, 1776, P. M.

The Convention met, pursuant to adjournment.

The House then resumed the consideration of the frame of government, and, after some time employed therein,

Adjourned to nine o'clock to-morrow morning.

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Friday, September 20, 1776, A. M.

The Convention met, pursuant to adjournment.

A memorial from the committee of Northumberland, setting forth their apprehensions of an Indian war and the defenseless state of that frontier county, and praying the assistance of this House for their defense, was read and ordered to lie on the table for consideration.

Leave of absence was given to Colonel Clark to go and visit his battalion at Amboy.

Mr. Hay had leave to go home to see his sick family.

The House resumed the consideration of the frame of government, and, after some time spent therein,

Adjourned to three o'clock in the afternoon.

---

Friday, September 20, 1776, P. M.

The Convention met, pursuant to adjournment.

The House resumed the consideration of the frame of government.

On motion, Resolved, That the expenses of the two companies raised by the committee of Westmoreland, in consequence of Col. M'Coy's instructions preventing him from stationing his battalion in proper places, shall be liquidated and paid in the same manner as is directed by the resolves of this House of the 14th instant. And, that the council of safety be desired to send up, for their use, such a sum of money as they may think necessary.

Adjourned to nine o'clock to-morrow morning.

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Saturday, September 21, 1776.

The Convention met, pursuant to adjournment.

The House resumed the consideration of the frame of government, and, after some time,

Adjourned to nine o'clock on Monday morning.

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MINUTES OF THE CONVENTION FOR THE STATE OF PENNSYLVANIA,

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FROM MONDAY, SEPTEMBER 23, TO SATURDAY, SEPTEMBER 28, 1776.

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Monday, September 23, 1776, A. M.

The House met, pursuant to adjournment.

The Convention proceeded to the further consideration of the frame of government.

A letter from Amboy, from General Roberdeau, containing his sentiments on the regulations of the militia of this State, was read and ordered to lie on the table for consideration.

Adjourned to half past three o'clock in the afternoon.

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Monday, September 23, 1776, P. M.

The House met, pursuant to adjournment.

On motion, Ordered, That Col. Matlack, Mr. Jacobs and Col. Thomas Smith be a committee to bring in the draught of a resolve for settling and regulating the general election for this present year.

The Convention resumed the consideration of the frame of government, and, after considerable time spent therein,

Adjourned to nine o'clock to-morrow morning.

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Tuesday, September 24, 1776, A. M.

The Convention met, pursuant to adjournment.

A member of the council of safety acquainted the House that he was instructed by that board to inform them that it would be necessary to apply to Congress for a further loan of one hundred thousand dollars. Whereupon, it was

Resolved, That the delegates of this State in Congress be directed to apply to the Congress for the loan of one hundred thousand dollars on the credit and faith of this State.

Resolved, That the members of the late conference of committees be allowed the same mileage and wages as have been usually paid to the members of Assembly, and that the Treasurer of this State pay the same on the certificates of either of the secretaries of the said conference.

Resolved, That it be referred to the council of safety to pay such expenses as they think were justly incurred by the sending expresses to call together the people for choosing brigadier-generals.

Resolved, That the wardens of the city of Philadelphia do continue to exercise the duties of their said office as wardens



until the first Tuesday in November next, and until new wardens shall be chosen.

A memorial from Mr. Paul Fooks, respecting the appointment of a sworn interpreter for foreign languages and notary public, and desiring to be nominated to those offices, was read and ordered to be referred to the council of safety.

The House resumed the consideration of the frame of government, and, after some time spent therein,

Adjourned to three o'clock in the afternoon.

---

Tuesday, September 24, 1776, P. M.

The Convention met, pursuant to adjournment.

The House resumed the consideration of the frame of government, and, after some time,

Adjourned to nine o'clock to-morrow morning.

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Wednesday, September 25, 1776, A. M.

The Convention met, pursuant to adjournment.

A letter from the Rev. Messrs. Duffield and Marshall, praying that the clergy of this State may be exempted from the burthen of civil officers, and setting forth their reasons for such exemption, was read and ordered to lie on the table for consideration.

A petition from the Rev. Messrs. Muhlenberg and Weyberg, praying for an addition to the forty-seventh article of the proposed frame of government, confirming the incorporations for promoting religious and charitable purposes, was read and ordered to lie on the table.

A letter from Colonel Hancock, President of Congress, to this Convention, informing of the late resolution of Congress for raising a number of additional battalions, and for enlisting the soldiers until the end of the war, and warmly requesting this House to take the most speedy and effectual measures for that purpose, was read and ordered to be taken into consideration in the afternoon.

The House resumed the consideration of the frame of government.

Ordered, That Mr. Cannon, Mr. Jacobs and Mr. Rittenhouse be appointed to prepare the draught of a preamble to the Declaration of Rights and Frame of Government, and of the oaths of allegiance and office, to be inserted in the said frame.

Adjourned to three o'clock in the afternoon.

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Wednesday, September 25th, 1776, P. M.

The Convention met, pursuant to adjournment.

The House, agreeable to order, took into consideration the letter from Colonel Hancock, and, after some consideration, it was

Ordered, That Colonel Bull, Col. Matlack, Col. Potter, Mr. Hubley and Col. Clark be a committee to consider the said letter, and report thereon to this House.

The gentlemen appointed to draw up a preamble to the Declaration of Rights and Frame of Government reported an essay for that purpose, which was read and referred for further consideration.

They also reported an essay for the oaths and affirmations of allegiance, and of office, which, being read and amended at the table, were approved of, and ordered to be inserted in the Frame of Government.

Adjourned to nine o'clock to-morrow morning.

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Thursday, September 26, 1776, A. M.

The Convention met, pursuant to adjournment.

The committee appointed to draw up the resolves respecting the elections for the present year, reported a draught for that purpose, which, being read and amended, was agreed to in the following words:

In Convention for the State of Pennsylvania.

Whereas, It is not convenient to hold the next election throughout this State, for choosing the elective officers thereof, on the day on which it will be most convenient to the people to hold their elections for the future. And this Convention

being desirous that the freemen of this State may, as soon as possible, enjoy the advantages of a free and established government, it is, therefore,

Resolved, That the next election of representatives in General Assembly, and of all other elective officers heretofore usually chosen on the first day of October, shall be held for the city of Philadelphia, and for the county of Philadelphia, and for every other county of this State on Tuesday, the fifth day of November next, and, except in the counties of Bedford, Northumberland and Westmoreland, at the places where the elections for representatives in this convention were held. The election for inspectors is to be held in the city of Philadelphia, and in each of the counties of this State, on Saturday, the second day of November next. The judges of the said elections shall be chosen and appointed by the inspectors on the day of election, and shall be subject to the life forfeitures and penalties for fraud or willful neglect as the sheriff would have been in the like case by the late laws of this State. The constables of the wards in the city of Philadelphia, and of the townships of the several counties of this State, shall give six days' notice of the election for inspectors. The judges, or one or more of them, shall, within two days following the election, meet at the courthouse of the respective counties in which elections shall be held in districts, and returns shall be made to them from the districts, of the names of the candidates, and number of votes for each. And the judges shall cast up the votes, and shall certify those, who are highest in votes, to be duly elected to the respective offices. And the elections shall, in all other matters, be held and carried on, as nearly as may be, according to the directions of an act of Assembly of the late government of Pennsylvania, made in the year one thousand seven hundred and sixty-six, entitled "An act directing the choice of inspectors, and for holding the general elections in this province." And in case any township or townships neglect to choose an inspector or inspectors, the other inspectors and the judge present at the election shall appoint an inspector or inspectors for such township or townships.

The freemen of the county of Bedford, shall vote in four

districts for this present year, as follows, viz.: The freemen of the first district, containing the townships of Bedford, Colerain and Cumberland Valley, at the court-house in the town of Bedford. Of the second, containing the townships of Bethel, Air and Dublin, at the house of John Burd, at Fort Littletown. Of the third, containing the townships of Barree, Hopewell and Frankstown, at Standing Stone. And of the fourth, containing the townships of Brothers Valley, Turkeyfoot and Quemachoning, at the house of John Kemberlin, near the junction of the said three townships.

The county of Northumberland shall be divided into four districts, to wit: The freemen of Augusta, Penns and Mahony townships shall meet at the town of Sunbury. Of Turbutt, Mahoning, shall meet at the town of Northumberland. Of Buffaloe, White-Deer and Potter, shall meet at Foutz's Mill, in Buffaloe township. And of Munsey and Bald-Eagle, shall meet at the house of Amariah Sutton, in Munsey township.

The electors of the county of Westmoreland shall hold their election in manner following, that is to say: The electors on the north side of Kiskemenetas and Cannemach shall hold their election at Captain Samuel Moorhead's mill. The second district shall be bounded by the Laurel Hill, Connemach, the Chestnut Ridge and Youghagany, and shall hold their election at Ligonier. The other electors in the said county not comprehended in the foregoing districts, shall hold their elections at the two places directed by the conference of committees for electing members of this convention.

Every elector, before his vote is received, shall take the following oath or affirmation, instead of that heretofore required, viz.: I do swear (or affirm) that I will be faithful and true to the Commonwealth of Pennsylvania, and that I will not, directly, do any act or thing prejudicial or injurious to the Constitution or Government thereof, as established by the Convention.

And the judges and inspectors of the said elections shall, besides the oaths prescribed in the law directing the choice of inspectors above-mentioned, take the oath of allegiance above recited. And

Resolved, That the said General Assembly, chosen in consequence of the foregoing resolves, shall meet at Philadelphia, on Tuesday, the nineteenth day of November next.

Adjourned to three o'clock in the afternoon.

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Thursday, September 26, 1776, P. M.

The Convention met, pursuant to adjournment.

The committee appointed to consider of the matter contained in Colonel Hancock's letter, made their report in writing, which, being read, was agreed to by the House, and is as follows:

That three persons be commissioned immediately to repair to the several stations where any of the forces of this State now are, and obtain a full account of the strength and condition of the battalions raised in this State, except in the county of Westmoreland.

That the officers of these battalions, who shall appear to be qualified for their stations, be continued, if they shall enter to serve during the war.

That the vacancies occasioned by officers declining to serve, or which have happened, or may happen by other means, be filled by the council of safety, where it is necessary to be done before the sitting of the General Assembly.

That as many as possible of the soldiers, who are now in the service, be induced to enlist to serve during the war, and that persons be appointed to recruit the several battalions as soon as may be; and that the commanding officers of each battalion be directed forthwith to order out recruiting parties to complete their battalions.

That the commissioners be authorized to apply to Congress for money, from time to time, to pay the bounty as fast as the men may enlist in the service, to be accountable to the State.

That the commissioners be authorized to enquire into the conduct of the commissaries and other necessaries, and particularly arms.

On motion, Ordered, That this House will to-morrow morning proceed to the election, by ballot, of the three commissioners recommended, by the above report to enquire, etc., into the condition of the troops raised in this State.

On motion, Resolved, That the commissioners for raising the Flying Camp account with the council of safety or future Assembly for such moneys as have been or shall be put into their hands for that purpose.

The House resumed the consideration of the draught of the preamble offered to them yesterday, and the same was agreed to.

Adjourned to nine o'clock to-morrow morning.

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Friday, September 27th, 1776, A. M.

The Convention met, pursuant to adjournment.

The House, according to the order of the day, proceeded to the election, by ballot, of the commissioners recommended to be chosen by the report of yesterday, when Major Lollar, Major Coates and John Morris, Jun., Esq., were elected.

On information that a number of soldiers, belonging to Col. Miles's battalion, had mutinied and returned to this city, it was

Resolved, That Col. Kirkbride, Mr. Cannon, Mr. Whitehill and Col. James Smith be a committee to enquire into the affair and make report to this House.

Adjourned to three o'clock in the afternoon.

---

Friday, September 27, 1776, P. M.

The Convention met, pursuant to adjournment.

On motion, Resolved, That Captain Farmer and the other officers of the three battalions belonging to this state be directed to march the soldiers, who have returned from the camp, to the Barracks; that the commissary be directed to supply them with provisions, and that they be kept there until the convention or Council of Safety, shall have considered their case, and shall give further directions.

On motion, Resolved, That it be recommended to the first General Assembly of this State to make a law, similar to the habeas corpus act of England, for the security of the personal liberty of the inhabitants.

Saturday, September 28th, 1776.

The committee appointed to enquire into the affair of the returned soldiers, made their report in writing, which, being read, was referred for further consideration.

Adjourned to nine o'clock to-morrow morning.

The House met, pursuant to adjournment.

The Frame or Plan of Government and Preamble agreed to yesterday, being now fairly engrossed, were deliberately read and compared at the table, and, being bound up with the Declaration of Rights, were passed and confirmed unanimously in the words follows, viz.:

THE CONSTITUTION OF PENNSYLVANIA.

Whereas all government ought to be instituted and supported for the security and protection of the community as such, and to enable the individuals, who compose it, to enjoy their natural rights and the other blessings which the Author of Existence has bestowed upon man; and, whenever these great ends of government are not obtained, the people have a right, by common consent, to change it, and take such measures as to them may appear necessary to promote their safety and happiness. And whereas the inhabitants of this Commonwealth have, in consideration of protection only, heretofore acknowledged allegiance to the King of Great Britain, and the said King has not only withdrawn that protection, but commenced and still continues to carry on, with unabated vengeance, a most cruel and unjust war against them, employing therein not only the troops of Great Britain but foreign mercenaries, savages and slaves for the avowed purpose of reducing them to total and abject submission to the despotic domination of the British Parliament, with many other acts of tyranny (more fully set forth in the Declaration of Congress), whereby all allegiance and fealty to the said King, and his successors, are dissolved and at an end, and all power and authority derived from him ceased in these colonies. And whereas it is absolutely necessary for the welfare and safety of the inhabitants of said colonies, that they be henceforth free and independent States, and that just, permanent and proper forms of government exist in every part of them, derived from and

founded on the authority of the people only, agreeable to the directions of the Honorable American Congress:

We, the representatives of the freemen of Pennsylvania, in General Convention met, for the express purpose of framing such a government, confessing the goodness of the Great Governor of the Universe (Who alone knows to what degree of earthly happiness mankind may attain, by perfecting the arts of government), in permitting the people of this State, by common consent, and without violence, deliberately to form for themselves such just rules as they shall think best for governing their future society; and, being fully convinced that it is our indispensable duty to establish such original principles of government as will best promote the general happiness of the people of this State and their posterity, and provide for future improvements, without partiality for or prejudice against any particular class, sect or denomination of men whatsoever, DO, by Virtue of the Authority vested in us by our constituents, ordain, declare and establish the following Declaration of Rights and Frame of Government to be the Constitution of this Commonwealth, and to remain in force therein forever, unaltered, except in such articles as shall hereafter, on experience, be found to require improvement, and which shall, by the same authority of the people fairly delegated, as this frame of government directs, be amended or improved for the more effectual obtaining and securing the great end and design of all government hereinbefore mentioned.

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## CHAPTER I.

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### A DECLARATION OF THE RIGHTS OF THE INHABITANTS OF THE COMMONWEALTH OR STATE OF PENNSYLVANIA.

I. That all men are born equally free and independent, and have certain natural, inherent and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property and pursuing and obtaining happiness and safety.

II. That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understanding. And that no man ought or of



right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any ministry, contrary to, or against, his own free will and consent. Nor can any man, who acknowledges the being of God, be justly deprived or abridged of any civil right as a citizen, on account of his religious sentiments or peculiar mode of religious worship. And that no authority can or ought to be vested in, or assumed by, any power whatever that shall in any case interfere with, or in any manner control, the right of conscience in the free exercise of religious worship.

III. That the people of this State have the sole, exclusive and inherent right of governing and regulating the internal police of the same.

IV. That all power being originally inherent in and, consequently derived from, the people, therefore, all officers of government, whether legislative or executive, are their trustees and servants, and at all times accountable to them.

V. That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community, and not for the particular emolument or advantage of any single man, family or set of men who are a part only of that community, and that the community hath an indubitable, unalienable and indefeasible right to reform, alter or abolish government in such manner as shall be by that community judged most conducive to the public weal.

VI. That those who are employed in the legislative and executive business of the State may be restrained from oppression, the people have a right, at such periods as they may think proper, to reduce their public officers to a private station, and supply the vacancies by certain and regular elections.

VII. That all elections ought to be free, and that all free men having a sufficient evident common interest with and attachment to the community, have a right to elect officers, or to be elected into office.

VIII. That every member of the society hath a right to be protected in the enjoyment of life, liberty and property and, therefore, is bound to contribute his proportion towards the expense of that protection, and yield his personal service, when

necessary, or an equivalent thereto. But no part of a man's property can be justly taken from him, or applied to public uses, without his own consent, or that of his legal representatives. Nor can any man who is conscientiously scrupulous of bearing arms be justly compelled thereto, if he will pay such equivalent. Nor are the people bound by any laws, but such as they have in like manner assented to, for their common good.

IX. That in all prosecutions for criminal offenses a man hath a right to be heard by himself and his counsel, to demand the cause and nature of his accusation, to be confronted with the witnesses, to call for evidence in his favor, and a speedy public trial, by an impartial jury of the country, without the unanimous consent of which jury he cannot be found guilty. Nor can he be compelled to give evidence against himself. Nor can any man be justly deprived of his liberty, except by the laws of the land or the judgment of his peers.

X. That the people have a right to hold themselves, their houses, papers and possessions free from search and seizure, and, therefore, warrants without oaths or affirmations first made, affording a sufficient foundation for them, and whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his or their property not particularly described, are contrary to that right, and ought not to be granted.

XI. That in controversies respecting property, and in suits between man and man, the parties have a right to trial by jury, which ought to be held sacred.

XII. That the people have a right to freedom of speech and of writing and publishing their sentiments; therefore the freedom of the press ought not to be restrained.

XIII. That the people have a right to bear arms for the defense of themselves and the State; and, as standing armies, in the time of peace, are dangerous to liberty, they ought not to be kept up. And that the military should be kept under strict subordination to, and governed by, the civil power.

XIV. That a frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry and frugality are absolutely necessary to preserve the

blessings of liberty and keep a government free: The people ought, therefore, to pay particular attention to these points in the choice of officers and representatives, and have a right to exact a due and constant regard to them, from their legislators and magistrates, in the making and executing such laws as are necessary for the good government of the State.

XV. That all men have a natural inherent right to emigrate from one State to another that will receive them, or to form a new State in vacant countries, or in such countries as they can purchase, whenever they think that thereby they may promote their own happiness.

XVI. That the people have a right to assemble together, to consult for their common good, to instruct their representatives, and to apply to the legislature for redress of grievances, by address, petition or remonstrance.

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## CHAPTER II.

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### PLAN OR FRAME OF GOVERNMENT FOR THE COMMONWEALTH OR STATE OF PENNSYLVANIA.

#### Section the First.

The Commonwealth or State of Pennsylvania shall be governed hereafter by an Assembly of the representatives of the freemen of the same, and a president and council, in manner and form following:

#### Section the Second.

The supreme legislative power shall be vested in a house of representatives of the freemen of the Commonwealth or State of Pennsylvania.

#### Section the Third.

The supreme executive power shall be vested in a president and council.

#### Section the Fourth.

Courts of justice shall be established in the city of Philadelphia and in every county of this State.

#### Section the Fifth.

The freemen of this Commonwealth and their sons shall be trained and armed for its defense, under such regulations,

restrictions and exceptions as the General Assembly shall by law direct, preserving always to the people the right of choosing their colonels and all commissioned officers under that rank, in such manner and as often as by the said laws shall be directed.

Section the Sixth.

Every freeman of the full age of twenty-one years, having resided in this State for the space of one whole year next before the day of election for representatives, and paid public taxes during that time, shall enjoy the right of an elector: Provided always, That sons of freeholders of the age of twenty-one years shall be entitled to vote although they have not paid taxes.

Section the Seventh.

The House of Representatives of the freemen of this Commonwealth shall consist of persons most noted for wisdom and virtue, to be chosen by the freemen of every city and county of this Commonwealth, respectively. And no person shall be elected unless he has resided in the city or county, for which he shall be chosen, two years immediately before the said election; nor shall any member, while he continues such, hold any other office, except in the militia.

Section the Eighth.

No person shall be capable of being elected a member to serve in the House of Representatives of the freemen of this Commonwealth more than four years in seven.

Section the Ninth.

The members of the House of Representatives shall be chosen annually, by ballot, by the freemen of the Commonwealth, on the second Tuesday in October forever (except this present year), and shall meet on the fourth Monday of the same month, and shall be styled the General Assembly of the Representatives of the Freemen of Pennsylvania, and shall have power to choose their speaker, the Treasurer of the State and their other officers—sit on their own adjournments, prepare bills and enact them into law, judge of the elections and qualifications of their own members; they may expel a member, but not a second time for the same cause; they may administer oaths or affirma-

tions on examination of witnesses, redress grievances, impeach State-criminals, grant charters of incorporation, constitute towns, boroughs, cities and counties, and shall have all other powers necessary for the legislature of a free State or Commonwealth, but they shall have no power to add to, alter, abolish or infringe any part of this Constitution.

#### Section the Tenth.

A quorum of the House of Representatives shall consist of two-thirds of the whole numbers of members elected, and having met, and chosen their speaker, shall each of them, before they proceed to business, take and subscribe, as well the oath or affirmation of fidelity and allegiance herein after directed as the following oath or affirmation, viz.:

“I, \_\_\_\_\_, do swear (or affirm), that, as a member of this Assembly, I will not propose or assent to any bill, vote or resolution, which shall appear to me injurious to the people, nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges as declared in the Constitution of this State, but will, in all things, conduct myself as a faithful honest representative and guardian of the people, according to the best of my judgment and abilities.”

And each member, before he takes his seat, shall make and subscribe the following declaration, viz.:

“I do believe in one God, the Creator and Governor of the Universe, the Rewarder of the Good and Punisher of the Wicked. And I do acknowledge the Scriptures of the Old and New Testament to be given by Divine Inspiration.”

And no further or other religious test shall ever hereafter be required of any civil officer or magistrate in this State.

#### Section the Eleventh.

Delegates to represent this State in Congress shall be chosen by ballot by the future General Assembly at their first meeting, and annually forever afterwards, as long as such representation shall be necessary; any delegate may be superseded at any time, by the General Assembly, appointing another in his stead; no man shall sit in Congress longer than two years

successively, nor be capable of re-election for three years afterwards. And no person, who holds any office in the gift of the Congress, shall hereafter be elected to represent this Commonwealth in Congress.

Section the Twelfth.

If any city or cities, county or counties, shall neglect or refuse to elect and send representatives to the General Assembly, two-thirds of the members from the cities or counties that do elect and send representatives, provided they be a majority of the cities and counties of the whole State when met, shall have all the powers of the General Assembly as fully and amply as if the whole were present.

Section the Thirteenth.

The doors of the House, in which the representatives of the freemen of this State shall sit in General Assembly, shall be and remain open for the admission of all persons who behave decently, except only when the welfare of this State may require the doors to be shut.

Section the Fourteenth.

The votes and proceedings of the General Assembly shall be printed weekly, during their sitting, with the yeas and nays on any question, vote or resolution, where any two members require it, except when the vote is taken by ballot; and when the yeas and nays are so taken, every member shall have a right to insert the reasons of his vote, upon the minutes, if he desires it.

Section the Fifteenth.

To the end that laws, before they are enacted, may be more maturely considered, and the inconvenience of hasty determinations as much as possible presented, all bills of a public nature shall be printed for the consideration of the people, before they are read in General Assembly the last time for debate and amendment; and except on occasions of sudden necessity, shall not be passed into laws until the next session of Assembly; and for the more perfect satisfaction of the public, the reasons and

motives for making such laws shall be fully and clearly expressed in the preambles.

Section the Sixteenth.

The style of the laws of this Commonwealth shall be "Be it enacted, and it is hereby enacted by the Representatives of the freemen of the Commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same." And the General Assembly shall affix their seal to every bill, as soon as it is enacted into a law, which seal shall be kept by the Assembly and shall be called The Seal of the Laws of Pennsylvania, and shall not be used for any other purpose.

Section the Seventeenth.

The city of Philadelphia, and each county in this Commonwealth, respectively, shall, on the first Tuesday of November in this present year, and on the second Tuesday in October annually for the two next succeeding years, to wit, the year one thousand seven hundred and seventy-seven and the year one thousand seven hundred and seventy-eight, choose six persons to represent them in General Assembly. But as representation, in proportion to the number of taxable inhabitants is the only principle which can, at all times, secure liberty and make the voice of a majority of the people the law of the land, therefore, the General Assembly shall cause complete lists of the taxable inhabitants, in the city and each county in the Commonwealth, respectively, to be taken and returned to them on or before the last meeting of the Assembly elected in the year one thousand seven hundred and seventy-eight: Who shall appoint a representation to each in proportion to the number of taxables in such returns, which representation shall continue for the next seven years afterwards, at the end of which a new return of the taxable inhabitants shall be made, and a representation agreeable thereto appointed by the said Assembly, and so on septennially forever. The wages of the representatives in General Assembly, and all other State charges, shall be paid out of the State Treasury.

## Section the Eighteenth.

In order that the freemen of this Commonwealth may enjoy the benefit of election as equally as may be until the representation shall commence as directed in the foregoing section, each county, at its own choice, may be divided into districts, hold elections therein and elect their representatives in the county and their other elective officers, as shall be hereafter regulated by the General Assembly of this State. And no inhabitant of this State shall have more than one annual vote at the general election for representatives in Assembly.

## Section the Nineteenth.

For the present the supreme executive council of this State shall consist of twelve persons, chosen in the following manner: The freemen of the city of Philadelphia and of the counties of Philadelphia, Chester and Bucks, respectively, shall choose by ballot one person for the city and one for each county aforesaid, to serve for three years, and no longer, at the time and place for electing representatives in General Assembly. The freemen of the counties of Lancaster, York, Cumberland and Berks, shall, in like manner, elect one person for each county, respectively, to serve as counsellors for two years, and no longer. And the counties of Northampton, Bedford, Northumberland and Westmoreland, respectively, shall, in like manner, elect one person for each county, to serve as counsellors for one year, and no longer. And at the expiration of the time for which each counsellor was chosen to serve, the freemen of the city of Philadelphia and of the several counties in this State, respectively, shall elect one person to serve as counsellor for three years, and no longer; and so on every third year forever by this mode of election and continual rotation, more men will be trained to public business, there will, in every subsequent year be found in the council a number of persons acquainted with the proceedings of the foregoing years, whereby the business will be more consistently conducted, and, moreover, the danger of establishing an inconvenient aristocracy will be effectually prevented. All vacancies in the council



that may happen by death, resignation or otherwise shall be filled at the next general election for representatives in General Assembly, unless a particular election for that purpose shall be sooner appointed by the president and council. No member of the General Assembly or delegate in Congress shall be chosen a member of the council.

The president and vice-president shall be chosen annually by the joint ballot of the General Assembly and council, of the members of the council. Any person having served as a counsellor for three successive years shall be incapable of holding that office for four years afterwards. Every member of the council shall be a justice of the peace for the whole Commonwealth by virtue of his office.

In case new additional counties shall hereafter be erected in this State, such county or counties shall elect a counsellor, and such county or counties shall be annexed to the next neighboring counties, and shall take rotation with such counties.

The council shall meet annually, at the same time and place with the General Assembly.

The Treasurer of the State, trustees of the loan office, naval officers, collectors of customs or excise, judge of the admiralty, attorneys-general, sheriffs and prothonotaries shall not be capable of a seat in the General Assembly, executive council or Continental Congress.

#### Section the Twentieth.

The president, and, in his absence, the vice-president, with the council, five of whom shall be a quorum, shall have power to appoint and commissionate judges, naval officers, judge of the admiralty, attorney-general and all other officers, civil and military, except such as are chosen by the General Assembly, or the people, agreeable to this Frame of Government and the laws that may be made hereafter; and shall supply every vacancy in any office occasioned by death, resignation, removal or disqualification until the office can be filled in the time and manner directed by law or this Constitution. They are to correspond with other States, and transact business with the officers of government, civil and military, and to prepare such business as may appear to them necessary to lay before the

General Assembly. They shall sit as judges to hear and determine on impeachments, taking to their assistance, for advice only, the justices of the Supreme Court; and shall have power to grant pardons and remit fines in all cases whatsoever, except in cases of impeachment; and in case of treason and murder shall have power to grant reprieves, but not to pardon, until the end of the next sessions of Assembly. But there shall be no remission or mitigation of punishment on impeachments except by act of the Legislature. They are also to take care that the laws be faithfully executed; they are to expedite the execution of such measures as may be resolved upon by the General Assembly, and they may draw upon the treasury for such sums as shall be appropriated by the House. They may also lay embargoes, or prohibit the exportation of any commodity, for any time not exceeding thirty days, in the recess of the House only. They may grant such licenses as shall be directed by law, and shall have power to call together the General Assembly, when necessary, before the day to which they shall stand adjourned.

The president shall be commander in chief of the Forces of the State, but shall not command in person, except advised thereto by the council, and then only so long as they shall approve thereof. The president and council shall have a secretary, and keep fair books of their proceedings, wherein any counsellor may enter his dissent, with his reasons in support of it.

#### Section the Twenty-first.

All commissions shall be in the name and by the authority of the freemen of the Commonwealth of Pennsylvania, sealed with the State seal, signed by the president or vice-president, and attested by the secretary, which seal shall be kept by the council.

#### Section the Twenty-second.

Every officer of State, whether judicial or executive, shall be liable to be impeached by the General Assembly, either when in office or after his resignation or removal for mal-administration. All impeachments shall be before the president or vice-president and council, who shall hear and determine the same.

## Section the Twenty-third.

The judges of the Supreme Court of judicature shall have fixed salaries, be commissioned for seven years only, though capable of re-appointment at the end of that term, but removable for misbehavior at any time by the General Assembly; they shall not be allowed to sit as members in the Continental Congress, Executive Council or General Assembly, nor to hold any other office, civil or military, nor to take or receive fees or perquisites of any kind.

## Section the Twenty-fourth.

The Supreme Court and the several courts of common pleas of this Commonwealth shall, besides the powers usually exercised by such courts, have the powers of a court of chancery, so far as relates to the perpetuating testimony, obtaining evidence from place snot within this State, and the care of the persons and estates of those who are non compotes mentis, and such other powers as may be found necessary by future General Assemblies, not inconsistent with this Constitution.

## Section the Twenty-fifth.

Trials shall be by jury as heretofore. And it is recommended to the Legislature of this State to provide by law against every corruption or partiality in the choice, return or appointment of juries.

## Section the Twenty-sixth.

Courts of sessions, common pleas and orphans' courts shall be held quarterly in each city and county, and the Legislature shall have power to establish all such other courts as they may judge for the good of the inhabitants of the State. All courts shall be open and justice shall be impartially administered without corruption or unnecessary delay. All their officers shall be paid an adequate but moderate compensation for their services. And if any officer shall take greater or other fees than the laws allow him, either directly or indirectly, it shall ever after disqualify him from holding any office in this State.

## Section the Twenty-seventh.

All prosecutions shall commence in the name and by the authority of the freemen of the Commonwealth of Pennsylvania, and all indictments shall conclude with these words, "against the peace and dignity of the same." The style of all process hereafter in this State shall be, the Commonwealth of Pennsylvania.

## Section the Twenty-eighth.

The person of a debtor, where there is not a strong presumption of fraud, shall not be continued in prison, after delivering up, bona fide, all his estate, real and personal, for the use of his creditors in such manner as shall be hereafter regulated by law. All prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident or presumption great.

## Section the Twenty-ninth.

Excessive bail shall not be exacted for bailable offenses, and all fines shall be moderate.

## Section the Thirtieth.

Justices of the peace shall be elected by the freeholders of each city and county, respectively, that is to say, two or more persons may be chosen for each ward, township or district, as the law shall hereafter direct. And their names shall be returned to the president in council, who shall commissionate one or more of them for each ward, township or district so returning for seven years, removeable for misconduct by the General Assembly. But if any city or county, ward, township or district in this Commonwealth shall hereafter incline to change the manner of appointing their justices of the peace, as settled in this Article, the General Assembly may make laws to regulate the same, agreeable to the desire of a majority of the freeholders of the city or county, ward, township or district so applying. No justice of the peace shall sit in the General Assembly unless he first resign his commission, nor shall

he be allowed to take any fees, nor any salary or allowance except such as the future Legislature may grant.

Section the Thirty-first.

Sheriffs and coroners shall be elected annually in each city and county, by the freemen; that is to say, two persons for each office, one of whom for each, is to be commissioned by the president in council. No person shall continue in the office of sheriff more than three successive years, or be capable of being again elected during four years afterwards. The election shall be held at the same time and place appointed for the election of representatives. And the commissioners and assessors and other officers chosen by the people, shall also be then and there elected, as has been usual heretofore, until altered or otherwise regulated by the future Legislature of this State.

Section the Thirty-second.

All elections, whether by the people or in General Assembly, shall be by ballot, free and voluntary. And any elector who shall receive any gift or reward for his vote, in meat, drink, moneys or otherwise, shall forfeit his right to elect for that time, and suffer such other penalty as future laws shall direct. And any person who shall, directly or indirectly, give, promise or bestow any such rewards to be elected, shall be thereby rendered incapable to serve for the ensuing year.

Section the Thirty-third.

All fees, license money, fines and forfeitures heretofore granted or paid to the Governor, or his deputies, for the support of government, shall hereafter be paid into the public treasury, unless altered or abolished by the future Legislature.

Section the Thirty-fourth.

A register's office, for the probate of wills and granting letters of administration, and an office for the recording of deeds, shall be kept in each city and county. The officers to be appointed by the General Assembly, removeable at their pleasure, and to be commissioned by the president in council.

## Section the Thirty-fifth.

The printing presses shall be free to every person who undertakes to examine the proceedings of the Legislature, or any part of government.

## Section the Thirty-sixth.

As every freeman, to preserve his independence (if without a sufficient estate), ought to have some profession, calling, trade or farm, whereby he may honestly subsist, there can be no necessity for, nor use in establishing offices of profit, the usual effects of which are dependence and servility, unbecoming freemen, in the possessors and expectants; faction, contention, corruption and disorder among the people. But if any man is called into public service, to the prejudice of his private affairs, he has a right to a reasonable compensation. And whenever an office, through increase of fees, or otherwise, becomes so profitable as to occasion many to apply for it, the profits ought to be lessened by the Legislature.

## Section the Thirty-seventh.

The future Legislature of this State shall regulate entails in such a manner as to prevent perpetuities.

## Section the Thirty-eighth.

The penal laws, as heretofore used, shall be reformed by the future Legislature of this State, as soon as may be, and punishments made in some cases less sanguinary and in general more proportionate to the crimes.

## Section the Thirty-ninth.

To deter more effectually from the commission of crimes, by continued visible punishment of long duration, and to make sanguinary punishments less necessary, houses ought to be provided for punishing by hard labor, those who shall be convicted of crimes not capital, wherein the criminals shall be employed for the benefit of the public, or for reparation of injuries done to private persons. And all persons at proper times shall be admitted to see the prisoners at their labor.

## Section the Fortieth.

Every officer, whether judicial, executive or military, in authority under this Commonwealth, shall take the following oath or affirmation of allegiance, and general oath of office before he enter on the execution of his office. The oath or affirmation of allegiance: "I, \_\_\_\_\_, do swear (or affirm) that I will be true and faithful to the Commonwealth of Pennsylvania, and that I will not, directly or indirectly, do any act or thing prejudicial or injurious to the Constitution or Government thereof as established by the Convention." The oath or affirmation of office: "I, \_\_\_\_\_, do swear (or affirm) that I will faithfully execute the office of \_\_\_\_\_, for the \_\_\_\_\_ of \_\_\_\_\_, and I will do equal right and justice to all men to the best of my judgment and abilities, according to law."

## Section the Forty-first.

No public tax, custom or contribution shall be imposed upon, or paid by the people of this State, except by a law for that purpose. And before any law be made for raising it, the purpose for which any tax is to be raised ought to appear clearly to the Legislature to be of more service to the community than the money would be, if not collected, which, being well observed, taxes can never be burthens.

## Section the Forty-second.

Every foreigner of good character, who comes to settle in this State, having first taken an oath or affirmation of allegiance to the same, may purchase or by other just means acquire, hold and transfer land or other real estate, and after one year's residence shall be deemed a free denizen thereof, and entitled to all the rights of a natural born subject of this State, except that he shall not be capable of being elected a representative until after two years' residence.

## Section the Forty-third.

The inhabitants of this State shall have liberty to fowl and hunt in seasonable times on the lands they hold, and on all

other lands therein not enclosed, and in like manner to fish in all boatable waters and others not private property.

Section the Forty-fourth.

A school or schools shall be established in each county by the Legislature, for the convenient instruction of youth, with such salaries to the masters paid by the public as may enable them to instruct youth at low prices. And all useful learning shall be duly encouraged and promoted in one or more universities.

Section the Forty-fifth.

Laws for the encouragement of virtue and prevention of vice and immorality shall be made and constantly kept in force, and provision shall be made for their due execution. And all religious societies or bodies of men heretofore united or incorporated for the advancement of religion and learning, or for other pious and charitable purposes, shall be encouraged and protected in the enjoyment of the privileges, immunities and estates which they were accustomed to enjoy, or could of right have enjoyed under the laws and former Constitution of this State.

Section the Forty-sixth.

The Declaration of Rights is hereby declared to be a part of the Constitution of this Commonwealth, and ought never to be violated on any pretence whatever.

Section the Forty-seventh.

In order that the freedom of this Commonwealth may be preserved inviolate forever, there shall be chosen by ballot by the freemen in each city and county, respectively, on the second Tuesday in October, in the year one thousand seven hundred and eighty-three, and on the second Tuesday in October in every seventh year thereafter, two persons in each city and county of this State, to be called the council of censors, who shall meet together on the second Monday of November next ensuing their election, the majority of whom shall be a quorum in every case, except as to calling a convention, in which two-thirds of the whole number elected shall agree, and whose duty it shall be to enquire whether the Constitution has been



preserved inviolate in every part and whether the legislative and executive branches of government have performed their duty as guardians of the people, or assumed to themselves or exercised other or greater powers than they are entitled to by the Constitution. They are also to enquire whether the public taxes have been justly laid and collected in all parts of this Commonwealth, in what manner the public moneys have been disposed of, and whether the laws have been duly executed. For these purposes they shall have power to send for persons, papers and records; they shall have authority to pass public censures, to order impeachments, and to recommend to the Legislature the repealing such laws as appear to them to have been enacted contrary to the principles of the Constitution. These powers they shall continue to have for and during the space of one year from the day of their election, and no longer. The said council of censors shall also have power to call a convention, to meet within two years after their sitting, if there appear to them an absolute necessity of amending any Article of the Constitution which may be defective, explaining such as may be thought not clearly expressed, and of adding such as are necessary for the preservation of the rights and happiness of the people. But the articles to be amended, and the amendments proposed, and such articles as are proposed to be added or abolished, shall be promulgated at least six months before the day appointed for the election of such convention, for the previous consideration of the people, that they may have an opportunity of instructing their delegates on the subject.

On motion, Ordered, That the president and every member of this Convention present do sign the same, which being accordingly done, it was thereupon

Ordered, That the Constitution of this Commonwealth, as now agreed to and signed by the members of this Convention, be committed to the charge of the council of safety, with directions to deliver the same to the General Assembly of this State, at their first meeting, immediately after they shall have chosen their speaker.

On motion, Resolved, That Mr. Rittenhouse, Mr. Cannon

and Mr. Matlack be a committee to settle the incidental expenses of this Convention.

On motion, Resolved, That the president of this Convention be allowed the same wages as the speaker of the late House of Assembly, and that the vice-president draw an order on the State Treasurer for the amount thereof.

On motion, Resolved, That Mr. Rittenhouse, Mr. Jacobs and Mr. Clymer be a committee to prepare the seals for the future Legislature and executive council of this State.

Resolved, That immediate public notice be given by the secretary, that the freemen of this State are empowered, by the Frame of Government this day passed, to choose, at their next election for representatives, in the city of Philadelphia and each county one person as a Counsellor of State.

Resolved, That the council of safety be directed to prepare materials necessary for printing paper currency for this State, to be ready at the time of the first meeting of the General Assembly.

Resolved, That Mr. Cannon, Mr. Rittenhouse, Col. Matlack and Col. Bull be a committee to revise the minutes of this Convention, and print 250 copies of the same, together with the Constitution, ordinances, etc. (100 of which to be bound), for the use of the members of this House.

On motion, Resolved, That the president of this Convention fill up and sign a commission for General Roberdeau as first brigadier-general of this State, and that he also fill up and sign a commission for General Ewing as second brigadier-general of this State.

On motion, Resolved, That Mr. Cannon, Mr. Rittenhouse and Col. Matlack be a committee to draw up an address to the public, setting forth the reasons which induced this convention to make the several ordinances and resolves, which they have passed in the course of the sitting of this Convention.

The report of the committee appointed to enquire into the complaints of the mutinous soldiers was again read, and ordered to be referred to the council of safety.

Major Coates and Major Loller, two of the gentlemen elected yesterday to visit the troops raised in this State at New York

Island and Ticonderoga, informed the Convention that the state of their domestic affairs was such that they could not possibly serve on that duty. Whereupon, the House proceeded to the election of two other gentlemen in their stead, when Col. Potter and Col. Clark were chosen by ballot for that service.

The petition of Peter Withington for a captaincy was again read and referred to the council of safety.

The draught of a commission and instructions to the gentlemen chosen to visit the troops of this State was read and approved of, and is as follows:

Pennsylvania, ss:

The Honorable the Convention of the Commonwealth of Pennsylvania, to E. T., Esquire:

Sir: You are hereby commissioned and instructed (in conjunction with A. B. and C. D.) immediately to repair to the army near New York and at Ticonderoga, and make a particular inquiry into the condition and state of the troops raised in or by this State, whether they are properly supplied with necessaries, and whether the quartermasters, commissaries, paymasters and other officers for the supplying of clothing, provisions, etc., have done their duty, and therein particularly to attend to the information which you shall receive from intelligent privates as well as officers. You are to engage all officers and privates, who are willing to serve during the war, on the terms offered by the Honorable Congress. You are to enquire into the merits of such officers, that proper promotions may take place when necessary. You are to enquire into the condition and state of the arms and accoutrements of the troops, and to make true returns of all such and other matters as you may find necessary, with all convenient dispatch, to the council of safety or future House of Assembly. This commission and instruction to continue until altered or annulled by this Convention, the council of safety or the future House of Assembly. By order of the Convention.

The report made on the 13th instant by the committee on military affairs, was again read and ordered to be referred to

the council of safety, except as to that part which relates to the brigadiers-general.

Colonel Potter informed the House that he had been desired, by the delegates in Congress for this State, to acquaint the House, that they were desired to appoint and nominate the officers for the battalion to be raised in the counties of Northampton and Northumberland. Whereupon, the House proceeded to the election by ballot of field-officers for the said battalion, when William Cook, Esq., was chosen to be recommended as colonel, Neigle Gray, Esq., as lieutenant-colonel and James Crawford, Esq., as major.

The appointment of the other officers is referred to the council of safety.

On motion, Resolved, That those associators who have neglected or refused to march into Jersey and serve, agreeable to the resolution of the Honorable Congress and this Convention, or who have returned without having served six weeks, or having a regular discharge, be considered as non-associators and fined and assessed as such by the commissioners and assessors appointed by an ordinance of this Convention respecting non-associators.

The memorial from Northumberland was read again, and ordered to be referred to the council of safety.

The House resumed the consideration of Colonel Slagle's letter, desiring to be excused from his office of commissioner for the Flying Camp, and it was

Resolved, That his request be granted and that Major Coates be appointed in his stead.

On motion, Ordered, That the president sign orders on the State Treasurer for the wages and mileage of each member of this Convention.

On motion, Ordered, That the secretary of this Convention have the same wages as have been usually paid to the clerk of the Assembly. But, as the secretary has not kept any account of particulars, the president is to ascertain the same, according to the rate and in proportion to the account settled for Charles Moore, Esq., in September last, and to draw an order on the State Treasurer for that sum.

Resolved, unanimously, That the thanks of this Convention be given to the president for the honor he has done it by filling the chair during the debates on the most important parts of the Bill of Rights and Frame of Government, and for his able and disinterested advice thereon.

Then the Convention rose.

