

*Philadelphians in Exile:  
The Problem of Loyalty During  
The American Revolution*

REVOLUTIONS, by their very nature, produce dilemmas of loyalty. Practically overnight men who previously had been considered good citizens find themselves suspected of treason while those who betray the existing order are hailed as heroes and patriots. The line between traitor and patriot is often a fine one and can change rapidly with the fortunes of war. The American Revolution, of course, is a classic example, yet those who suffered most may have been neither the "Whigs" nor the "Tories," but rather those who tried to remain above the conflict, adopt a neutral stance, and attempt the impossible task of carrying on as though everything were normal. The largest organized group of "neutrals" were the Quakers. Religious scruples against war and required oaths of allegiance resulted in severe persecution of many members of the Society of Friends.\*

While New York banished two Quakers to Long Island in 1783 for refusing to take the loyalty oath of 1778,<sup>1</sup> it was in William Penn's colony that Friends suffered most. It was in the City of Brotherly Love that leading Quakers were rounded up and packed off into exile in the state of Virginia during the winter of 1777-1778.

Quaker influence in the colony which Penn had founded as a haven for his coreligionists gradually declined in the eighteenth century as did the percentage of inhabitants belonging to that sect. Robert Proud, the Quaker historian, estimated that the Society of

\* This study was made possible by a grant from the Liberal Arts Organized Research Fund of the University of Texas at Arlington.

<sup>1</sup> A. Day Bradley, "New York Friends and the Loyalty Oath of 1778," *Quaker History*, LVII (1968), 112-114.

Friends in 1770 comprised only about one-seventh of the residents of Philadelphia, though he noted with pride that Quakers were "esteemed among the wealthiest, and most substantial of the inhabitants."<sup>2</sup> In other words, their influence was far greater than their mere numbers would warrant in economic and social activities, though by the time of the Revolution it was no longer overwhelming.<sup>3</sup>

Politically, however, the Quakers were less important after the celebrated withdrawal from politics in 1756. When their religious scruples conflicted with political reality Quaker politicians abdicated control of the province. Nevertheless the extent of their withdrawal may have been overemphasized, since some Quakers continued to play an active role in the affairs of the province whenever it was compatible with their beliefs. As tensions occurred between Great Britain and her American colonies many Philadelphia Quakers took an active part in opposing what they regarded as the unconstitutional actions of the British Ministry. When Philadelphians decided to protest against the Stamp Act in 1765 with a nonimportation agreement—a move that was as much political as it was economic—40 per cent of the signers whose religion can be determined were Quakers.<sup>4</sup>

The next decade, however, proved to be an increasingly difficult one for them. As economic coercion was replaced by violence, men like Thomas Wharton, Sr.—a Quaker merchant who strongly objected to British practices—began to withdraw from the Revolutionary movement as they found, once again, that politics was interfering with religion.<sup>5</sup> Inevitably this type of action was regarded by the warmer "patriots" as support for the British. And there were just enough examples of wealthy Quakers whose sympathies (albeit passive) lay with the "wrong" side to bring down the charge of "Toryism" on all Quakers. The case against them was augmented by their own published "Testimonies" reminding Friends

<sup>2</sup> Robert Proud, *History of Pennsylvania* (Philadelphia, 1797-1798), II, 339-340.

<sup>3</sup> Robert F. Oaks, "Philadelphia Merchants and the American Revolution, 1765-1776" (unpublished Ph.D. dissertation, University of Southern California, 1970), 9.

<sup>4</sup> *Ibid.*, 47. For the importance of the withdrawal, see Edwin B. Bronner, "The Quakers and Non-Violence in Pennsylvania," *Pennsylvania History*, XXXV (1968), 1-22, and, contrastingly, Ralph L. Ketcham, "Conscience, War, and Politics in Pennsylvania, 1755-1757," *William and Mary Quarterly*, Third Series, XX (1963), 416-440 (hereinafter cited as *WMQ*).

<sup>5</sup> Oaks, "Philadelphia Merchants," Chapter IX.

of their pacifistic heritage and urging them to refrain from supporting war measures.<sup>6</sup>

The outbreak of revolution did not call for a new Quaker policy since they simply continued obedience to the rulers God had set over them. Royal officials obliged by requiring neither strong ideological commitment nor many demands for goods and services.<sup>7</sup> The Quakers' problems came from the patriots who demanded proof of their support for the new regime. In their Yearly Meeting of 1775, Philadelphia Quakers did not approve of the proceedings of the British government and "thought them ill-advised," but they refused to be a "party in overturning the beneficent charter of William Penn." They would not recognize a revolutionary government, hold office under it, or affirm allegiance to it.<sup>8</sup>

So adamant were Quaker leaders in their demand that their followers give no support to the Revolution that younger, less politically conservative members left the Society and organized the "Free Quakers" to support the patriot cause. The majority, however, went along with John Pemberton's request to "firmly unite in the abhorrence of all writings, and measures as evidence a desire and design to break off that happy connection we have heretofore enjoyed, with the kingdom of Great Britain."<sup>9</sup>

The power and prestige which Quakers held in Philadelphia made it impossible for the Revolutionary government to avoid a clash with them. Not only did they refuse to perform military service for the new regime, but they also refused to pay taxes on the grounds that the money would be used for war. They then claimed that they were being persecuted for religious, rather than political, beliefs. In Bucks County, Quakers carried their principles to the extent of refusing to sell or grind grain for George Washington.<sup>10</sup> The line between loyalism and this type of "neutralism" was a fine one indeed as far as the Whigs were concerned!

<sup>6</sup> See, for example, *To our Friends and Brethren in religious Profession*. . . , Dec. 20, 1776, in Charles Evans, ed., *American Bibliography* (Chicago, 1903-1934), #14770.

<sup>7</sup> Sidney V. James, "The Impact of the American Revolution on Quakers' Ideas About their Sect," *WMQ*, Third Series, XIX (1962), 371-372.

<sup>8</sup> Quoted in John Paul Selsam, *The Pennsylvania Constitution of 1776* (Philadelphia, 1936), 81.

<sup>9</sup> Theodore Thayer, *Pennsylvania Politics and the Growth of Democracy in Pennsylvania, 1740-1776* (Harrisburg, 1953), 176.

<sup>10</sup> Henry J. Young, "The Treatment of the Loyalist in Pennsylvania" (unpublished Ph.D. dissertation, Johns Hopkins University, 1955), 126.

Admittedly, those Quakers who tried to remain neutral infuriated the patriots. One of the most annoying and potentially damaging habits was their refusal to accept the new Continental currency. As early as November, 1775, the Philadelphia Committee of Correspondence reported to Congress that several people—including such notable Quakers as Owen Jones, Jonathan Zane, and Thomas Fisher and Sons—had refused to take the new money because of “a Conscientious scruple, as said Currency was emitted for the purpose of war.”<sup>11</sup> A year later a member of Congress predicted that if the Quakers made a point of refusing Continental currency, the patriots would have to “make a point of hanging them, which will bring on a storm that will take the wisest of all our wise men to direct.”<sup>12</sup>

Inevitably, as tensions and emotions increased, Quakers and Tories came to be regarded as virtually synonymous. At the beginning of the war Quakers were treated with confidence by both sides, but this fact led spies to pose as Quakers in order to obtain information. Also, the great wealth of many Quakers made their refusal to pay taxes all the more serious.<sup>13</sup> Fair minded men agreed with John Adams that they were “a kind of neutral tribe, or the race of the insipids,”<sup>14</sup> but fair mindedness is a quality which is usually one of the victims in a war like the American Revolution.

Thomas Paine, writing in *The Crisis* in 1777, vented his anger against the “fallen, cringing priest-and-Pemberton ridden people.” A “religious Quaker is a valuable character,” he admitted, but “a political Quaker [is] a real Jesuit.”<sup>15</sup> Animosity against Quakers seemed to be related directly to reverses in the patriot military effort. In the summer of 1777, when the American cause seemed anything but bright, the Continental Congress requested Pennsylvania and Delaware to apprehend, disarm, and secure all people

<sup>11</sup> *Papers of the Continental Congress*, Item 69, I, 25, National Archives and Record Service Microfilm publication (hereinafter cited as *PCC*).

<sup>12</sup> Edward Rutledge to Robert Livingston, Oct. 2, 1776, in Edmund C. Burnett, ed., *Letters of the Members of the Continental Congress* (Washington, 1921-1936), II, 13.

<sup>13</sup> Adair P. Archer, “The Quaker’s Attitude Toward the Revolution,” *WMQ*, Second Series, I (1921), 172-173.

<sup>14</sup> Quoted in Anne H. Wharton, “Thomas Wharton, Junr., First Governor of Pennsylvania Under the Constitution of ’76,” *Pennsylvania Magazine of History and Biography*, VI (1882), 94 (hereinafter cited as *PMHB*).

<sup>15</sup> Thomas Paine, *The Crisis*, No. III, Apr. 17, 1777.

“notoriously disaffected.” Pennsylvania was further requested to search the homes of all those residents “who have not manifested their attachment to the American cause, for fire arms, swords and bayonets.”<sup>16</sup>

Though Congress’ resolutions had not been directed specifically against Quakers, the Supreme Executive Council of Pennsylvania used them as an excuse to harass some of the most respectable people in Philadelphia, causing them to undergo severe hardships. And Congress, having just enough evidence to implicate Quakers in a Tory spy plot, went along with the Council. This evidence consisted of a letter from General John Sullivan, sent August 25, from Hanover, New Jersey. Sullivan enclosed documents allegedly found among baggage captured at Staten Island, including a list of questions regarding the strength and activities of Washington’s army. Sullivan pointed out that the documents were endorsed by the “Spanktown Yearly Meeting,” which, he wrote, confirmed his belief that “Quakers at their Meetings Collected Intelligence & forwarded [it] to the enemy.” This action, according to Sullivan, meant that the Quakers were “the most Dangerous Enemies Amer[ica] knows & Such as have it in their power to Destress the Country more than all the Collected Force of Britain.”<sup>17</sup>

Such charges could scarcely be overlooked, and the emotionalism of the moment probably prevented Congress from inquiring into the accuracy of the documents. The fact that the Friends never held a Yearly Meeting at Spanktown, a remote town in eastern New Jersey, went unnoticed. So did the discrepancy of the paper dated August 19 mentioning General Howe’s landing on the Chesapeake Bay—an event which did not take place until August 25.<sup>18</sup> In all probability the document was a forgery.

The Committee to which Congress referred General Sullivan’s

<sup>16</sup> *Journals of the Continental Congress* (Washington, 1905-1937), VIII, 678-679 (hereinafter cited as *JCC*).

<sup>17</sup> Thomas Gilpin, *Exiles in Virginia* (Philadelphia, 1848), 35-36; General John Sullivan to John Hancock, Aug. 25, 1777, *PCC*, item 160, folio 47. Gilpin’s book, edited by a son of one of the exiles, contains an extensive collection of letters and documents related to the exile as well as journals kept by the prisoners themselves.

<sup>18</sup> Gilpin, *Exiles*, 261; John Richard Alden, *The American Revolution, 1775-1783* (New York), 1954), 121-122. Gilpin incorrectly gives the date of Howe’s landing at Head of Elk as August 22.

incriminating letter reported August 28. It recommended that the actions of Quakers, "Persons of considerable wealth,"

render it certain and notorious and those Persons are, with much rancor and Bitterness, disaffected to the American Cause. That as these persons will have it in their Power, so there is no Doubt it will be their Inclination, to communicate Intelligence to the Enemy.<sup>19</sup>

The report concerned, not what the Quakers had done, but what they *might* do. To lend credence to their case, the committee reminded Congress of the published Quaker testimony of December 20, 1776. This "seditious Publication," as the committee termed it, had already provided controversy in Philadelphia. It urged Friends to refrain from submitting "to the arbitrary injunctions and ordinances of men who assume to themselves the power of compelling others . . . to join in carrying on war," and reminded them of their goal to end all wars.<sup>20</sup>

The committee recommended, and Congress resolved, that several people who had displayed "a Disposition highly inimical to the Cause of America," be arrested. Congress specifically called for the apprehension of Joshua Fisher, Abel James, James Pemberton, Henry Drinker, Israel Pemberton, John Pemberton, John James, Samuel Pleasants, Thomas Wharton, Sr., Thomas Fisher, and Samuel Fisher, "together with all such Papers in their Possession as may be of a political nature." Furthermore, the Supreme Executive Council of Pennsylvania was urged to add any other people, Quaker or non-Quaker, who they felt should be included.<sup>21</sup> As a result, on August 31 the Council named more than forty persons who were "inimically disposed towards the American states," and within a few days nearly all of them had been arrested.<sup>22</sup>

Sarah Logan Fisher described the arrest of her husband Thomas Fisher in her diary:

<sup>19</sup> Resolution of Congress, Aug. 28, 1777, signed by John Hancock, Quaker Miscellany, Quaker Manuscript Collection, #951, Haverford College Library (hereinafter cited as Quaker Misc.).

<sup>20</sup> *Ibid.*; Evans, *Bibliography*, #14770; PCC, item 53, no. 67.

<sup>21</sup> Resolution of Congress, Aug. 28, 1777, Quaker Misc.

<sup>22</sup> PCC, item 69, I, 395, 411; *Colonial Records of Pennsylvania: Minutes of the Supreme Executive Council of Pennsylvania* (Harrisburg, 1852-1853), XI, 283-284, 288-289.

About 11 o'clock our new-made council sent some of their deputies to many of the inhabitants whom they suspected of Toryism, & without any regular warrant or any written paper mentioning their crime, or telling them of it in any way, committed them to the confinement, & among their number was my dear husband. Three men came for him & offered him his parole to confine himself prisoner to his own house, which he refused signing. They then told him he must go with them, & be confined to the [Masonic] Lodge. He refused going till he had seen the warrant. Upon which they read over a paper which they called one, which was an order from the Congress, recommending to the Executive Council to fall upon some measure to take up all such persons who had by their conduct or otherwise shown themselves enemies to the united states. . . .<sup>23</sup>

One by one the suspects were rounded up and their homes searched for incriminating evidence. Joshua Fisher was too ill to be moved, but promised not to leave his house. The officers found no incriminating papers in Fisher's house. Abel James' son was ill so he was allowed to remain home after promising to appear on demand and "not in any manner to speak, Write, or give any Intelligence to the Enemies of the United States of America." At Henry Drinker's house, they found "a number of Papers . . . of a Public nature, belonging to the Monthly Meeting." At John Pemberton's, they discovered "a number of Papers in a brown Bag." Samuel Emlen, Jr., was in bed when the officials arrived: "we broke open his Desk, but found no papers of a public nature." The list continued from one name to the next. Most of those men suspected were arrested, but very few of them had any papers which the officers felt incriminating.<sup>24</sup>

The confinement, and reports that the Council intended to ship the prisoners to Virginia, prompted an immediate response both from the prisoners and their supporters. Just prior to their arrest on September 4, Israel Pemberton, John Hunt, and Samuel Pleasants

<sup>23</sup> Nicholas B. Wainwright, ed., "A Diary of Trifling Occurrences: Philadelphia, 1776-1778," *PMHB*, LXXXII (1958), 444.

<sup>24</sup> *Colonial Records*, XI, 288-289. Unfortunately, there is no record as to who selected the names of those to be arrested or as to the criteria used. Some names were obvious. The Fisher family had known Tory sympathies, though there was no evidence of any overt support. Henry Drinker had been suspect at least since 1773, when he and his partner Abel James had accepted one of four positions as tea consignees for the East India Company. The Pembertons, too, were obvious selections. But the inclusion of such people as Thomas Pike, a dancing master, Thomas Affleck, joiner, or Charles Jervis, a hatter, with such distinguished company is difficult to understand.

wrote to the Supreme Executive Council protesting its assumption of "Authority not grounded in Law or reason to deprive us, who are peaceable men & have never bore Arms, of our Liberty by a Military force." They insisted on an immediate hearing for all the prisoners.<sup>25</sup> The following day more than 100 friends and relatives signed a petition supporting such a hearing.<sup>26</sup>

The Council, however, refused to grant the request, claiming that the prisoners had been arrested on the recommendation of Congress and so, if any hearing were held, Congress should hold it. But when Congress itself recommended that the men might be granted a hearing, the Council replied that they "had not time to attend to that business, in the present alarming crisis." A hearing for all the prisoners would be "tedious . . . in the midst of the present load of important business," the Council stated, and again urged Congress to handle the matter. Perhaps because of the pressure, the Council did offer to release any of the prisoners who would swear (or affirm) to "be faithful and bear true allegiance to the Common Wealth of Pennsylvania, as a free and independent State."<sup>27</sup>

Some prisoners did take the required oath and were released, but the majority, primarily Quakers, refused, claiming that the oath was an *ex post facto* law which incriminated "by a refusal those who were innocent." They then asked how, if they were such dangerous men that society could be protected only by their exile, the public safety could be secured by a simple oath: "That men of bad principles will submit to any tests to cover their dangerous and wicked purposes, is evident."<sup>28</sup>

Throughout the ordeal of their exile, the prisoners were handicapped by the reluctance of either the state of Pennsylvania or the Continental Congress to take responsibility for the situation. Typical of this problem, on September 8 Congress again declared that it would be improper for them to grant a hearing to the prisoners in the Masonic Lodge since they were inhabitants of Pennsylvania.

<sup>25</sup> Israel Pemberton, John Hunt, and Samuel Pleasants to the Executive Council of Pennsylvania, Sept. 4, 1777, Quaker Misc.

<sup>26</sup> "To the President and Council of Pennsylvania," Sept. 5, 1777, *ibid.*

<sup>27</sup> *Colonial Records*, XI, 290, 293; Thomas Wharton, Jr., to John Hancock, Sept. 6, 1777, *PCC*, item 69, I, 407.

<sup>28</sup> *Colonial Records*, XI, 292; Gilpin, *Exiles*, 106, 109.



But in the same sentence, Congress recommended that Pennsylvania order the immediate departure to Virginia of those prisoners still refusing to take an oath. Henry Laurens, the President of Congress, complained of wasting five hours debating the "silly point" of whether the prisoners even deserved a hearing in their defense since they had already "given the Strongest proofs which in these times can be expected of their avowed attachment to the cause of our Enemies."<sup>29</sup>

James Lovell, another member of Congress, considered the arrest of the group justifiable by the "Safety of the Union." He chided "old Israel and the Tribe," who dared to point out that their case violated the new Pennsylvania Bill of Rights, yet would "not affirm themselves faithful *Subjects* of it."<sup>30</sup> With attitudes like these, further petitions were useless.

The prisoners, who had held out little hope of a fair hearing or release, spent their days in the Masonic Lodge making preparations for exile. They worried not only about their own fate, but also about the situation of their wives (at least two of whom were pregnant) and families who would be left behind. Rumors of the approaching British army and fleet did not make their minds rest any easier. Henry Drinker forwarded to his wife a list of clothing and supplies he would need. In addition to such usual items as his "Great Coat," boots, shoes, "Drawers," "Night cape," and "Towells," he also instructed his wife to collect such essentials as "Herbs of diff. sorts to be endorsed—Elixir—Pills," tobacco, "Seegars," "a Spoon—Knife & Fork," coffee, tea, soap, sugar, wine, teapots, and other cooking items.<sup>31</sup>

On September 10, the Council directed Troopers Samuel Caldwell and Alexander Nesbitt of the Philadelphia Troop of Light Horse (First Troop Philadelphia City Cavalry) to escort the twenty remaining prisoners to Virginia. They were accompanied as far as Reading by "City Guards on Horseback." It had been intended to

<sup>29</sup> Henry Laurens to John Lewis Gervais, Sept. 5, 1777, in Burnett, ed., *Letters*, II, 476-477.

<sup>30</sup> James Lovell to Joseph Trumbull, Sept. 7, 1777, *ibid.*, II, 485.

<sup>31</sup> Henry Drinker, undated memorandum, Drinker Family Papers, 1777-1778, Quaker Misc., #854. This memorandum is included in a remarkably complete collection of correspondence between Henry and Elizabeth Drinker during the period of the exile. All subsequent correspondence cited between Henry and Elizabeth Drinker is from this collection.

send the guards all the way to Virginia, "but the present approach of General Howe" made their presence necessary at home. The officer in charge of the trip was instructed "to look out for a Person of Humanity, good breeding & firmness to Superintend the further Conveyance of these Gentlemen to Staunton in Virginia."<sup>32</sup> Sarah Fisher bitterly described the scene of their being "dragged into the wagons by force by soldiers employed for that purpose, & [driven] off surrounded by guards & a mob."<sup>33</sup>

The journey to Reading was hard. Even though James Pemberton and Miers Fisher were "somewhat indisposed," the two men in charge of the prisoners—Caldwell and Nesbitt—insisted on pushing ahead. "An unfeeling & inflexible man is this Caldwell," Henry Drinker complained. He refused to listen to requests that the prisoners delay further travel until their baggage could catch up with them.<sup>34</sup> At Reading the officers were served with a writ of habeus corpus granted by a justice of the Pennsylvania Supreme Court. A special *ex post facto* act of the Assembly, however, had been passed to deny the privilege of habeus corpus to the group. The law provided that they would be released and then immediately re-arrested, but even this technicality was brushed aside.<sup>35</sup>

They remained in Reading for about a week, and though they were "much restricted here in the free communication with & reception of our Friends," a few visitors were permitted.<sup>36</sup> The delay was caused by a shortage of wagons to carry the baggage. They passed the week writing letters, holding religious services, and discussing their plight with visitors.<sup>37</sup> Finally on September 20, Jacob

<sup>32</sup> Thomas Wharton, Jr., to Jacob Morgan, Sept. 10, 1777, Brock Collection, Henry E. Huntington Library; *Colonial Records*, XI, 301-302; instructions to Caldwell and Nesbitt, Quaker Misc. The twenty exiles were James Pemberton, Miers Fisher, John Pemberton, Samuel Pleasants, Thomas Gilpin, Samuel Fisher, Owen Jones, Jr., Edward Pennington, William Drewet Smith, Charles Eddy, Israel Pemberton, John Hunt, Thomas Pike, Thomas Fisher, Henry Drinker, Elijah Brown, William Smith (broker), Charles Jervis, Thomas Affleck, and Thomas Wharton, Sr. Wharton was the cousin of Thomas Wharton, Jr., the President of Pennsylvania.

<sup>33</sup> Wainwright, ed., "Diary," 447.

<sup>34</sup> Henry to Elizabeth Drinker, Sept. 13, 1777.

<sup>35</sup> Gilpin, *Exiles*, 40-41, 140; Theodore George Thayer, *Israel Pemberton, King of the Quakers* (Philadelphia, 1943), 223; Henry to Elizabeth Drinker, Sept. 18, 1777.

<sup>36</sup> Henry to Elizabeth Drinker, Sept. 16, 1777.

<sup>37</sup> Henry to Elizabeth Drinker, Sept. 18, 1777.

Morgan, "to whose care the prisoners had been committed by Caldwell & Nesbit," turned his charges over to the county sheriff, who had been instructed to convey them to Winchester, Virginia, their new destination. The route was to take them to Lebanon, across the Susquehanna at Harris' Ferry, through Carlisle, and then to Winchester.<sup>38</sup>

Before the group reached Winchester, General Howe occupied Philadelphia. Thomas Fisher's wife Sarah betrayed her attitude when she confided to her diary that the entry of the British troops was "a most pleasing sight."<sup>39</sup> Whether the prisoners themselves rejoiced at this setback for their persecutors is a matter only for speculation. They were careful to exclude such sentiments from their correspondence, realizing that their letters were being inspected. They did, however, express concern for the safety of their families living in occupied Philadelphia.

They arrived in Winchester September 29, nearly three weeks after being removed from Philadelphia. The residents of the town, suspecting that the exiles were Tories, hardly received them warmly. The Lieutenant of Frederick County even feared that their lives would be endangered if they remained.<sup>40</sup>

The day after their arrival the prisoners sent another petition to Congress and one to the Governor and Council of Virginia. They reviewed their misfortunes to date, including their arbitrary arrest, denial of a hearing, and rejection of habeus corpus. Now, they complained, they had been confined under guard to a single house in Winchester. Though the county Lieutenant had "behaved . . . with Humanity and Politeness, . . . such have been the prejudices and Jealousies Entertained of us by the People," that the Lieutenant had only with difficulty prevented the exiles from being run out of the county by force. Fortunately, they reported, the Lieutenant had been able to control the inhabitants, and the exiles remained under guard until further orders could be received from Congress. The prisoners begged the governor of Virginia to consider their cause, to use his influence to prevent their removal to any more distant spot, to try to get them a hearing "before some Tribunal who have

<sup>38</sup> Henry to Elizabeth Drinker, Sept. 20, 1777.

<sup>39</sup> Wainwright, ed., "Diary," 450.

<sup>40</sup> Gilpin, *Exiles*, 163.

the Power of discharging us if no cause of Confinement should appear against us," and, in the meantime, to make their imprisonment less harsh by releasing them from such close confinement.<sup>41</sup>

Meanwhile the exiles tried to make the best of their plight. They were lodged in a "House as commodious as this Town affords," and, fortunately, the owners treated their tenants well. Generally in good health, their situation was more comfortable than they had anticipated, and they were even given the privilege of taking walks of two or three miles accompanied by a guard. The biggest concern was for their families. The exiles had received no word from Philadelphia since leaving Reading, though they themselves had written at every opportunity.<sup>42</sup> When letters began to trickle in, two weeks after their arrival in Winchester, the prisoners were understandably relieved.

There were other prisoners besides the Philadelphia exiles in Winchester. Many Hessians were confined in the county, and two weeks after the Philadelphians arrived several hundred British and Scottish prisoners were brought to town. Winchester was consequently a busy place, though the exiles tried to avoid involvement with the newcomers.<sup>43</sup> The terms of their imprisonment gradually improved, and the prisoners were allowed to ride or walk within a six mile area around the town, to receive visitors, and visit freely with friends in the area. They also began holding their own Quaker meetings. These relaxed conditions made their ordeal considerably easier to bear.<sup>44</sup> Sympathizers began coming from forty to fifty miles to visit them and to bring them provisions.<sup>45</sup>

No relaxation of restrictions, however, could ease the pain of being separated from families. The informal state of communications meant that letters were all too few and infrequent. And an understandable reluctance to write anything which could be interpreted as inimical by either side caused Henry Drinker, for one,

<sup>41</sup> "To the Governor and Council of Virginia," Oct. 1, 1777, Quaker Misc.

<sup>42</sup> Henry to Elizabeth Drinker, Oct. 12, 1777; Thomas to Sarah Fisher, Oct. 12, 1777, Logan-Fisher-Fox Collection, vol. 33, Historical Society of Pennsylvania (hereinafter cited as HSP). All subsequent correspondence cited between Thomas and Sarah Fisher is from this source.

<sup>43</sup> Henry to Elizabeth Drinker, Oct. 14, 1777.

<sup>44</sup> Thomas to Sarah Fisher, Oct. 17, 1777.

<sup>45</sup> Henry to Elizabeth Drinker, Oct. 17, 1777.

to keep from his wife the "free & unrestrained communication of Sentiments and of the occurrences in which we are mutually interested." The exiles hoped to learn some news from Winchester Friends who traveled to other places to attend meetings, but this channel usually proved disappointing.<sup>46</sup>

The prisoners dreamed of their reunion with their families, worked for their release, and remained confident that their innocence would be obvious both to Congress and the Pennsylvania Council if only they could have a hearing. But they continued to be disappointed by the reluctance of either of these bodies to accept responsibility for their situation. Thomas Fisher admitted that the prisoners were reconciling themselves "to a longer absence than might at first be expected." Activity directed toward securing their release went on unabated, however, as the exiles drew up more petitions, Virginia Quakers wrote letters on their behalf, and sympathizers even attempted to call on General Washington himself.<sup>47</sup>

Once reconciled to a longer stay, the exiles decided that they were too cramped living in one house, so several of them left in groups of three or four to take lodgings in other houses in the town.<sup>48</sup> By mid-November they had, as much as possible under the circumstances, established a routine existence in Winchester. They held Quaker meetings twice a week, on Sunday and Wednesday, which attracted many local citizens. The Sunday meeting in particular was so well attended that it was moved from a room in the house where they had originally all lived into a church offered by the Lutherans and Calvinists.<sup>49</sup>

In one of his letters, Thomas Fisher, too cautious to discuss anything political and having run out of other items of interest to write his wife, turned to the subject of his life at Winchester. Since his arrival, he wrote, he had denied himself the use of tea, coffee, or chocolate. Instead, his breakfast consisted of milk mixed either with bread or mush. Milk also frequently replaced meat for supper "to advantage." Fisher had never been fond of "Pies, Puddings &c" and he found this advantageous since he could get along almost entirely

<sup>46</sup> Henry to Elizabeth Drinker, Nov. 23, 1777.

<sup>47</sup> Thomas to Sarah Fisher, Nov. 2, 1777 (first letter).

<sup>48</sup> Thomas to Sarah Fisher, Nov. 7, 1777.

<sup>49</sup> Thomas to Sarah Fisher, Nov. 16, 1777.

without sugar, a substance in short supply among the prisoners. He felt it best to save the sugar for the tea drinkers, predicting that they would be in a very poor situation when the supply was gone. With somewhat more difficulty, Fisher also managed to do without wine, even though the water available from Reading to Winchester was "impregnated with Lime Stone." Once in Winchester, however, he soon got used to the water and drank it "without ill effect whatever," thereby getting rid of "another article of Luxury." Even more marvelous, he felt, was his new custom of rising early, "often before Sunrise, sometimes taking a walk of a mile or two for, or before a Breakfast," a habit he found "very usefull."<sup>50</sup>

Their lodgings, Fisher wrote, were still somewhat crowded. There were three beds in his room and they slept two to a bed. "Methinks I hear thee say three Beds in a room is very inconvenient," he wrote his wife, "but when I tell thee that we had four for several weeks thou must conclude with me that we are commodiously situated." Before some of the group had moved to other houses, their room had looked like an "infirmary." With eight in the room they thought it necessary to "establish divers Laws" and Fisher had then been elected the room "President." The group was so peaceful and inoffensive, however, that there had been no need for a court to enforce the laws. Their small room became the center for many activities. Thomas Gilpin, Fisher reported, "is a reading writing Genius seldom idle—Bror. Miers is Bookish."<sup>51</sup>

Back in Philadelphia, the exiles' families also settled down as best they could into a routine in the occupied city. It is possible that the wives left behind suffered more from the exile than the prisoners themselves. Elizabeth Drinker found it difficult to explain to her children "the long absence of their Father" and why he had been "taken forcibly from them." Maintaining a home also proved difficult. The Drinkers' servant girl apparently spent more time in attending to British soldiers than to her household chores. "I have not been able to keep [her] from the gate & Front-Door since the troops came in," Elizabeth Drinker reported to her husband. She had no regrets when the girl finally ran off with one of the soldiers.<sup>52</sup>

<sup>50</sup> Thomas to Sarah Fisher, Dec. 13, 1777.

<sup>51</sup> *Ibid.*

<sup>52</sup> Elizabeth to Henry Drinker, Nov. 5, Dec. 3, 1777.

In addition to worrying about her own situation, Elizabeth Drinker constantly worried about the health and condition of her absent husband. When by chance she came across a line in a letter to the wife of another exile saying that two unnamed members of their group had been too ill to attend meeting, Elizabeth Drinker feared that one of them was Henry. She had heard that he "was indispos'd with disorder'd Bowels" and pleaded with him for more accurate information. She suggested he ride more and walk less to preserve his health. The long walks in the evening air were, she felt, unhealthy. Worries about her husband only increased Elizabeth Drinker's agony. "When those wicked men who have been the cause of our separation comes [*sic*] to think (if ever they should be favour'd with a thinking time) of the injustice and cruelty, of taking Exemplary and innocent men, from their growing Families," she was sure that they would condemn their own actions.<sup>53</sup>

In December the routine of the exiles was shattered by two separate events. Dr. William Drewet Smith took advantage of the relaxed conditions to escape from Winchester. Henry Drinker, for one, had been surprised to find Smith included with the exiles in the first place since he had taken the oath demanded by Congress and the Council, the same oath which the prisoners were told would lead to their release if they swore to it. But "among their Jargon of inconsistencies which their Malice & cruelty led them into" the authorities had arrested Smith. Dr. Smith's conduct in exile had been "inoffensive & obliging"—he had appeared to agree with the others that "no one prisoner shou'd separately pursue any measure towards obtaining his enlargement without first acquainting the others." Yet one morning in mid-December, Smith, as he had frequently done on other mornings got on his horse and rode out. Thinking he had probably gone to visit patients, the other prisoners were not particularly worried when the doctor did not return that night since this, too, had occurred on several occasions.<sup>54</sup> By the next day, however, the exiles realized what Smith had done, and they were worried about his violating the trust placed on all the prisoners.

The doctor had perhaps been upset by an incident the evening before he escaped. Thomas Pike returning home as usual had been

<sup>53</sup> Elizabeth to Henry Drinker, Dec. 5, Dec. 8, 1777.

<sup>54</sup> Henry to Elizabeth Drinker, Dec. 13, 1777; Thomas to Sarah Fisher, Dec. 13, 1777 (first letter).

challenged by the guard, and an argument apparently took place between the two which resulted in Pike's being placed under house arrest. Smith left immediately after, probably fearing that all prisoners would be subjected to the same treatment, though when Pike's situation was cleared up two days later and it was determined that the guard had been at fault, the house arrest was rescinded.<sup>56</sup>

Whatever the reason, Henry Drinker was annoyed at Smith's action and feared that it might have repercussions on the remaining prisoners. He also doubted that Smith would be received in Philadelphia with as much honor and respect as if he had waited with the others for an honorable release. Drinker, for one, had no intention "to sneak Home in a private manner."<sup>56</sup>

Just as the exiles were recovering from the surprise of Smith's escape, they were confronted with the second major event of the month which threatened their routine. Owen Jones, Jr., who, like all the prisoners, was forced to pay his own expenses during the exile, had written several letters to friends in Pennsylvania attempting to exchange two Portuguese gold pieces for Continental currency. These letters fell into the hands of Congress, and, on December 8, the Board of War decided that Jones was "carrying on with sundry Persons in the Town of Lancaster, a Traffick, highly injurious to the Credit of the Continental Currency by exchanging Gold at a most extravagant Premium for paper money."<sup>57</sup> The board then ordered that all the exiles be moved farther away to Staunton, their original destination, and that they be confined under house arrest without the use of pen and ink.

Just as many of the exiles had begun to feel that their cause was winning support and that their tribulation might soon be ended, they were thus confronted with a threat to make their situation far worse. They would be taken even farther away from home, denied what freedoms they had enjoyed in Winchester and forbidden to communicate with their families. Congress justified this action with three charges against the exiles: they had corresponded with friends in and around Winchester without showing their letters to their guards, the value of Continental Currency in the area had greatly

<sup>56</sup> Thomas to Sarah Fisher, Dec. 13, 1777 (first letter).

<sup>56</sup> Henry to Elizabeth Drinker, Dec. 13, 1777.

<sup>57</sup> Samuel Hazard, ed., *Pennsylvania Archives, First Series* (Philadelphia, 1852-1856), VI, 53-56; Gilpin, *Exiles*, 185-186.



diminished since the arrival of the exiles, and Owen Jones had purposely tried to inflate the currency in Pennsylvania.<sup>58</sup>

Jones wrote to James Duane, a friend and a member of Congress, in an attempt to explain himself. First complaining that he had been arrested to begin with ("no person was more cautious of writing or doing anything detrimental to the Common Interests of America than I was"), Jones asked Duane to intercede in his behalf. He had exchanged the gold for the currency simply to pay for the necessities of life he was required to buy during his imprisonment. There had been no effort to inflate the currency.<sup>59</sup>

Then the other prisoners attempted to answer the charges levied against them. The county Lieutenant had agreed to suspend the removal order long enough for the prisoners to appeal. In petitions to Congress and to the Pennsylvania Council the exiles claimed that no one had told them it was necessary to show their letters to anyone before sending them. Indeed, they had at first offered to show their correspondence to the Lieutenant of the county, but he had declined to look at it. Furthermore, they had been "careful not to give any cause of offense" in their letters. As to Jones' case, they referred Congress to his letter to Duane. The third charge, they admitted, required "particular delicacy in answering." It charged them with responsibility for the lessened confidence in the currency, but when they arrived at Winchester the currency already had depreciated considerably. Their board in Winchester cost them five times the former price. They had done nothing to lessen further the value of the currency, never paying gold or silver for anything which could be obtained with paper money. "If then, the confidence of the people in that money is diminished," they suggested, "it must be ascribed to other causes than to our residence here." In conclusion, the charges were hardly sufficient justification for the extreme proposal of sending them to Staunton. They also complained about having to pay for their own upkeep while being deprived of their occupations, and again asked to be released.<sup>60</sup>

<sup>58</sup> Thomas to Sarah Fisher, Dec. 20, 1777; Gilpin, *Exiles*, 190-193.

<sup>59</sup> PCC, item 53, pages 73-75.

<sup>60</sup> Gilpin, *Exiles*, 190-193; Thomas to Sarah Fisher, Dec. 20, 1777; Henry to Elizabeth Drinker, Jan. 12, 1778. The petition to the President and Council of Pennsylvania is in the Drinker-Sandwith Coll., I, opposite p. 40, HSP.

No less shocked than the prisoners themselves at this new development were their families in Philadelphia. Even if the men responsible for the order were "entirely destitute of Religion & Virtue," Elizabeth Drinker still believed "that common policy would dictate other measures of a milder and more humane nature to innocent men whom they have taken from their Families, without the least colour of justice." And yet somehow managing to view the bright side of things, she took heart in hearing that Henry's health had improved and included a little wifely advice:

I have thought that if thee would alter thy old way of living in some measure, and instead of making water thy constant drink, in this cold season, take a glass or two of good old maderia [*sic*], it might be of use to strengthen thy Bowels . . . the method to clean thy Steel pipe is to put it into boiling water for about 15 minutes, then wipe it dry. . . .<sup>61</sup>

The new year began with much uncertainty for the small band in Winchester. Their petition had been referred by Congress to their native state, but the Supreme Executive Council of Pennsylvania again informed Congress that they considered the exiles to be the prisoners of the United States.<sup>62</sup> Congress responded that it had nothing to do with the internal affairs of the states and that the prisoners were under the jurisdiction of Pennsylvania. "Thus we are tossed about from one power to another," James Pemberton wrote in his diary, "as we have been from the first of our suffering, which requires a further exercise of our patience and stability."<sup>63</sup> They had no idea as to when, or even if, the order to send them to Staunton would be executed. And they seemed as far as ever from obtaining freedom. The only bright spot came toward the end of January when word was received that the order to remove the exiles to Staunton had been suspended until Congress could consider the petition.<sup>64</sup>

The prisoners remained convinced that their innocence would be evident to anyone who studied the case. Henry Drinker believed that "our Imprisonment & Banishment is universally condemn'd

<sup>61</sup> Elizabeth to Henry Drinker, Dec. 27, 1777.

<sup>62</sup> *Colonial Records*, XI, 395; Thomas to Sarah Fisher, Jan. 12, 1778; Thomas Wharton, Jr., to Henry Laurens, Jan. 5, 1778, *PCC*, item 69, I, 315.

<sup>63</sup> Gilpin, *Exiles*, 199.

<sup>64</sup> Henry to Elizabeth Drinker, Jan. 25, 1778.

almost without exception, and . . . it has injured the cause of Congress in the Sence of the People generally, as much or more than any step they have ever taken.”<sup>65</sup> The unpopularity of the imprisonment continued to cause both Congress and the Pennsylvania Council to shirk responsibility. The Council even suggested in January that the exile was unjust, but said they had no authority over the matter. Congress, on the other hand, denied that they had authority over the internal affairs of the state, even though the prisoners were presumably under the control of the Board of War.

Several of the prisoners’ wives despaired of a speedy release and decided to visit the exiles in the spring. “Nothing but an ardent affection & strong desire to see my husband could induce me to think of undertaking such a journey, which will be attended with great difficulty if not danger,” Sarah Fisher confided to her diary. Her husband agreed that the trip would be dangerous and called the proposal “inadmissible.”<sup>66</sup>

By the beginning of February still more problems emerged. Tension mounted between the ten remaining residents of the house originally occupied by all the exiles and their landlord. They quarreled over the rent, which was four or five times that charged by “some Friends in the neighbourhood” to those who had moved elsewhere. The previously cooperative landlord had “frequently taken offence at some trifling matters, and urged us to move our Quarters, which he knew as prisoners we could not do.” Only reluctantly did he consent to let the men remain until Congress decided the case.<sup>67</sup>

More disturbing than the minor annoyance of problems with the landlord, Henry Drinker learned that a British officer was being lodged in his house in Philadelphia. In spite of his wife’s assurance that “our new guest behaves unexceptionably, and much like a gentleman,” Drinker was outraged: “Who is it that could urge to be received into my House, after a proper representation of the situation the Master was in?” He demanded that his wife tell him how many “intruders” there were, what part of the house they

<sup>65</sup> Henry to Elizabeth Drinker, Jan. 30, 1778.

<sup>66</sup> Wainwright, ed., “Diary,” 461; Thomas to Sarah Fisher, n.d. (Feb. 1, 1778?); Thomas Fisher’s journal, Jan. 12, 1778, Logan-Fisher-Fox Coll.

<sup>67</sup> Henry to Elizabeth Drinker, Jan. 30, 1778.

occupied, and whether they provided their own food. He instructed her to keep the children away from the visitors. Elizabeth Drinker hastened to reassure her husband that she had as great an objection as he "to any of the Fraternity coming into our House," but after repeated application by the officer himself and on the advice of her friends, she had agreed to take him in "believing as our House is large, we should not be excus'd." Furthermore, the officer was "a man, as far as we can learn of a good carecter [*sic*]," and she feared that if they refused him they "might have one or more in his place that would be disagreeable." He occupied the two front parlors "and incommodes us as little as can be expected."

The Major has a Scots Servant who waits on him, he has a wife and child, for whom a Room is taken at our neighr. Wells' . . . he is an orderly well behav'd fellow—there are 4 anspacks, germans, great Creatures, who each day alternately set in our Kitchen or at Wells' to take orders, as he, the officer understands their language.

No one but the officer himself, she wrote, ever came into the rest of the house. The major provided his own food and ate by himself, except "now and then drinks a dish of Tea with us, which as he behaves like a gentleman and a man of sence is not easily avoided." Fortunately the Drinker family was exposed to "neither Swareing [*sic*] or Gameing, under our Roof, that we know of."<sup>88</sup>

By February 5, the prisoners had yet another frustration. They heard that Congress had decided to release them if they would take an oath of allegiance to the state of Pennsylvania. But since this had been Congress' policy since the arrest and since the Quakers had consistently refused to take the oath, the action provided little hope. Perhaps Congress was trying to soothe its collective conscience. "How insulting!", Henry Drinker wrote bitterly: "such has been the conclusion of this Great Body, these Guardians of Liberty, that if we will subscribe a Test of allegiance to them or some of them (wonderful condescention) then the injustice they have heretofore exercized in the most lawless & unprecedented manner, shall

<sup>88</sup> Elizabeth to Henry Drinker, Jan. 1, 1778; Henry to Elizabeth Drinker, Jan. 30, 1778; Elizabeth to Henry Drinker, Feb. 26, 1778. Elizabeth Drinker was not nearly as reconciled to the major's presence as her letters to her husband imply. See Henry D. Biddle, ed., *Extracts From the Journal of Elizabeth Drinker, From 1759 to 1807, A.D.* (Philadelphia, 1889), 85.

cease, so as to strike off our Chains." Then fearing that his opinions might be construed by some "of the Wise-Heads in the present day" as interfering in State Affairs, he declined to discuss the subject further.<sup>69</sup>

Their hopes of release dashed again, the prisoners prepared for an extended stay in Winchester by requesting their wives to send them additional supplies. They themselves rejected a suggestion that they be paroled to return home for a short time on the condition that they then return to exile: "we have been sent here merely on suspicion, have never had any hearing & know ourselves to be Innocent, we therefore cannot acknowledge ourselves Prisoners as it might imply Guilt."<sup>70</sup> Thomas Fisher proposed that the group send for two or three young women to do their house keeping chores for the remainder of their exile. He asked his wife if she thought "any of them would come to do some friendly offices to a parcel of Married Men." Then, quickly reminding her that three of the exiles were bachelors, he pointed out that "an agreeable union might take place from such a Visit." Indeed, he wrote, "Wives should encourage them, as it may tend to make us more fit for their society when we return, as there is a danger when Men for a great length of time converse chiefly with their own Sex of their acquiring a roughness not so agreeable to the Female Sex."<sup>71</sup> This pleasant suggestion apparently never materialized.

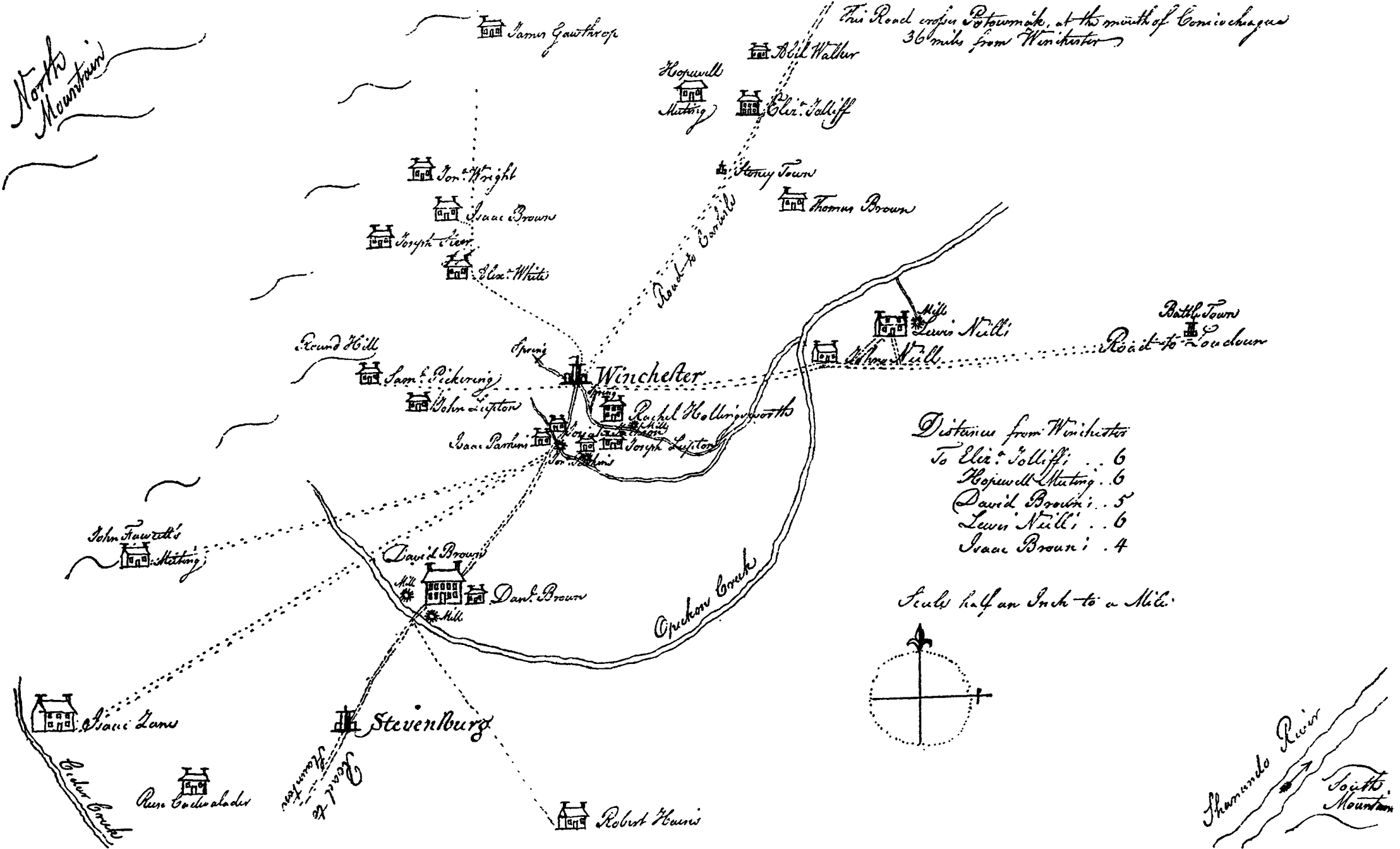
The strain caused by uncertainty over their own future, worries over the situation of their wives and families, the crowded living conditions and cold weather began to affect the health of the prisoners. Some had been affected by various afflictions from the beginning. Thomas Wharton, for instance, was bothered by his gout from time to time, and Henry Drinker, as mentioned previously, had troubles with his bowels. In February, Drinker "felt stitches floating about my Breast, a pain in my Head, a fullness & other indications that Bleeding was needed." A local doctor "open'd a Vein," but this left him "weak & fainty for a while and totally indisposed to write." Fortunately, he soon recovered from both the illness and the "cure."<sup>72</sup> Other members of the group would not be so fortunate.

<sup>69</sup> *JCC*, X, 98; Henry to Elizabeth Drinker, Feb. 7, 1778.

<sup>70</sup> Henry to Elizabeth Drinker, Feb. 7, 1778; Thomas to Sarah Fisher, n.d. (Feb. 1, 1778?).

<sup>71</sup> Thomas to Sarah Fisher, Feb. 7, 1778.

<sup>72</sup> Henry to Elizabeth Drinker, Feb. 16, 1778.



THOMAS FISHER'S MAP OF WINCHESTER, MARCH 10, 1778



By the end of February several of the exiles "labour'd under Cold, & other Bodily Indispositions." Henry Drinker listed nearly half the company who had one ailment or another. Among them was Thomas Gilpin who "complain'd of being disorder'd, and continued from day to day for many days in a feverish state." Gilpin appeared to grow better, but after about twelve days "his Case became serious," and he dictated a new will. In spite of the assistance of a "practicer of Physic in this Town & about it" and "the close attention & tender care of his Friends," Gilpin died.<sup>73</sup> His brother-in-law Thomas Fisher, who remained by Gilpin's bedside during his illness, reported that, "He was considerably reduced in his Illness, but when he was laid out his countenance look'd much as it did in health, pleasant & serene." After being wrapped in a sheet and placed in "a handsome Walnut Coffin," Gilpin was buried "about 7 feet deep" at Hopewell in the presence of "the most reputable Inhabitants of the Town," who turned out even though the day was very cold.<sup>74</sup>

The winter weather continued to plague them. Henry Drinker fervently hoped that it would improve so that they could once more go for rides and "gain Strength by a little proper Exercise & breathing the sweet air abroad." John Hunt's health particularly worried Drinker, who feared that another member of their group would be carried away. Furthermore, the poor weather was delaying their removal to new quarters.<sup>75</sup>

The weather finally cleared enough for them to move, and Thomas Fisher felt that the further dispersal of the group into several houses in and around Winchester would provide an opportunity for exercise as they visited one another. With his letter of March 10, 1778, he sent his wife a sketch of the country around Winchester, showing the exiles' lodgings at Elizabeth Tolliff's, David Brown's, Lewis Neill's and Isaac Brown's.

Unfortunately, improved weather and new quarters did not bring improved health. Still grieving over his brother-in-law's death, Fisher feared that his brother Miers would be next. Henry Drinker was again bothered by fever, swelling, and sleepless nights. And

<sup>73</sup> Henry to Elizabeth Drinker, Mar. 8, 1778. Gilpin's will is in the Logan-Fisher-Fox Coll., vol. 33.

<sup>74</sup> Thomas to Sarah Fisher, Mar. 10, 1778; Gilpin, *Exiles*, 210-212.

<sup>75</sup> Henry to Elizabeth Drinker, Mar. 8, 1778.



John Hunt continued to grow worse. On February 23, he suddenly lost the use of his left leg, and Hunt's friends felt it should be amputated, but the doctor considered him too weak for such an operation. Hunt, however, agreed to the operation because, Fisher felt, he feared more being a burden to his friends in life than he did dying. By March 22, Hunt's strength had increased sufficiently for the amputation to take place. The leg was severed a few inches above the knee, and Hunt "bore it with the Patience & fortitude of a true Christian, without shrinking & almost without complaint, tho' the pain was severe." The surgeon himself told Hunt that he had "behaved like a hero!" Hunt replied that he had "endeavoured to bear it like a Christian."<sup>76</sup>

Reports of Gilpin's death and the infirmities of Hunt and the other exiles naturally produced consternation in Philadelphia. Sarah Fisher hoped vainly that the "distressing account" of Gilpin's death was untrue. Elizabeth Drinker wrote that Hunt's wife was "much afflicted" by the reports from Winchester, "and poor Lydia Gillpin [*sic*], I have not felt myself capable yet of visiting."<sup>77</sup>

Meanwhile, sympathy for the exiles increased. On March 7, Thomas Wharton, Jr., the President of the Pennsylvania Council, wrote Henry Laurens, the President of Congress, requesting that authority over the prisoners be given to the Council. The state, wrote Wharton, had established courts where they could be tried. He was concerned, moreover, at the "dangerous example which their longer continuance in banishment may afford, on future occasions," and pointed out that it had already "given uneasiness to some good friends to the independency of these states." Accordingly, Congress granted the request and on March 16 ordered the Board of War to give control of the prisoners to the Executive Council of Pennsylvania.<sup>78</sup>

When the prisoners themselves heard of this development, they were unsure of its significance. Some of them hoped that it would

<sup>76</sup> Thomas to Sarah Fisher, Mar. 24, 1778; Henry to Elizabeth Drinker, Mar. 24, 1778; Thomas Wharton, Sr., to Thomas Corbyn and Joseph Talwin, May 11, 1778, Thomas Wharton Letter Book, HSP; Gilpin, *Exiles*, 214.

<sup>77</sup> Wainwright, ed., "Diary," 462; Elizabeth to Henry Drinker, Mar. 29, 1778.

<sup>78</sup> Thomas Wharton, Jr., to Henry Laurens, Mar. 7, 1778, PCC, item 69, I, 481; *Colonial Records*, XI, 460.

mean a speedy end of their suffering, but in the meantime John Hunt's suffering ended without the help of Congress. He had grown weaker since his amputation, and, though there had been some hope for a time, he died quietly in the evening of March 31. He was buried along side Thomas Gilpin ("His leg which had been cutt off having been previously put into the Coffin").<sup>79</sup>

News of Hunt's death reached Philadelphia just as four of the prisoners' wives were preparing to go to Winchester. Having already petitioned Congress and Pennsylvania officials requesting the release of "those innocent and oppressed Friends," the women had now decided to take direct action. They hoped that Congress would "take no offense at the freedom of Women," but they reminded that body "that the awful Messenger Death had made an inroad," and the wives and families of the prisoners were under severe "Trial and Distress."<sup>80</sup> So the women set out for Lancaster, the temporary seat of government, to present their case in person before going on to Winchester.

The day before they reached Lancaster the Council, apparently reacting to the pressure from Congress, as well as from the exiles themselves, finally ordered that the prisoners be transferred to Shippenburg and released. At the request of the women, the destination was changed to Lancaster.<sup>81</sup> The Council had apparently given up any ideas of a trial. The prisoners themselves received word of their release on April 15, and began the journey home. On the way they were received by General Gates who gave them the small comfort of claiming that if he had been in Philadelphia at the time of their arrest he would have prevented it.<sup>82</sup>

They arrived at Lancaster April 27, but the Council then ordered them taken to Pottsgrove for discharge. There was no move to try them for their alleged crimes, no attempt to compensate them for

<sup>79</sup> Henry to Elizabeth Drinker, Mar. 31, Apr. 3, 1778; Thomas to Sarah Fisher, Apr. 3, 1778.

<sup>80</sup> "To the Congress, Board of War . . ." Apr. 10, 1778, Quaker Misc. The date written on the document denotes the day it was read in Congress. Since the petition refers to only one death, it was obviously written around April 1, before the women learned of John Hunt's death.

<sup>81</sup> *Colonial Records*, XI, 460; Timothy Matlack to James Pemberton, Apr. 10, 1778, Quaker Misc.; Gilpin, *Exiles*, 218.

<sup>82</sup> Henry to Elizabeth Drinker, Apr. 16, 1778; Gilpin, *Exiles*, 227.

their banishment, only a simple order releasing them. General Washington was requested to allow them to pass through the lines to Philadelphia and he agreed, adding that "Humanity pleads strongly in their behalf."<sup>83</sup>

The return from exile did not mean that Quakers would receive favorable treatment in the future. The former prisoners were informed of a new test act approved by the Council only one week before their release, stipulating that anyone who did not take an oath of allegiance by June 2, 1778, was to be stripped of nearly all rights of citizenship and to be assessed double taxes for life. Furthermore, any two justices of the peace could initiate proceedings to banish any nonjuror from the state permanently. Though the provision for banishment was not used, several people were jailed.<sup>84</sup>

At least two of the former exiles suffered further imprisonment. In October, 1779, Henry Drinker went to jail in Philadelphia because he had been "endeavouring steadily to adhere to what I believed to be my christian Duty, in refusing to join in any of the prevailing Seditions & Tumults." In 1779, Samuel Fisher was charged with giving information to the British when a letter to his brother was intercepted. This time, at least, Fisher was given a trial, but his brother Miers was forbidden to testify since he had not taken the oath of allegiance. When the jury returned a verdict of not guilty, the judge sent them out again for one and a half hours before they brought in a guilty verdict, and Fisher was sentenced to two years in jail. "Fine Liberty," Elizabeth Drinker caustically commented in her diary. Fisher, however, said that he was innocent, just as he had been when sent to Winchester. He would rather lose all his property than contribute to the war effort which was "contrary to friends principles against putting down & setting up Governments & the promotion of War in the Land. . . ." Another exile, Thomas Wharton, Sr., was later proscribed as an enemy of the country and lost his estate as a result.<sup>85</sup>

<sup>83</sup> *Colonial Records*, XI, 473; Gilpin, *Exiles*, 45, 223.

<sup>84</sup> Young, "Treatment of the Loyalist," 164-174.

<sup>85</sup> Henry Drinker to Henry Drinker, Sr., Oct. 12, 1779; Biddle, ed., *Extracts From the Journal of Elizabeth Drinker*, 119; Samuel Rowland Fisher, "Journal," *PMHB*, XLI (1917), 164-165; Anne H. Wharton, "The Wharton Family," *PMHB*, I (1877), 329.

The infringement on the rights of Quakers is an early example of a violation of civil liberties. Times of emotional stress and crisis have all too often resulted in expedient solutions at the expense of ideals. The Quaker exiles paid dearly for the luxury of conscience. Pennsylvania's Revolutionary leaders, on the other hand, compromised the ideals for which they said they were fighting. They could tolerate no dissension or disagreement because they had not come to believe completely in their own rhetoric.

*University of Texas at Arlington*

ROBERT F. OAKS