

**THE CHARTER OF LIBERTIES
FROM WILLIAM PENN TO THE
FREEMEN OF THE PROVINCE
OF PENNSYLVANIA**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649194063

The charter of liberties from William Penn to the freemen of the province of Pennsylvania by
William Penn & Stan V. Henkels

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Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

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WILLIAM PENN & STAN V. HENKELS

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PHILADELPHIA: PRINTED
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PREFACE

So much of the history of the Penn Charter as is known is best set out in a letter written by Mr. S. V. Henkels, the well known Autograph Expert, of this city. His statement is as follows :—

Sometime in the fall of 1892 or 3 whilst looking over an old English Country Newspaper, I noticed a paragraph describing a rare old Penn Charter to Pennsylvania owned by an old Quaker gentleman (whose name I do not remember) and stating that the owner intended originally to send the Charter to America for sale, but the Civil War being then in progress he had changed his mind, and would hold it for the future. The paper was dated about June 1861.

The thought occurred to me to look the matter up, and knowing that the late Dr. Edward Maris had acquaintances among the Society of Friends in England, I consulted him as to the desirability of writing to some of his friends, and get them to try and trace the owner, and see if he still had the Charter for Sale. Dr. Maris accordingly corresponded with the well known Antiquarian Mr. Henry T. Wake of Fritchley, Derby, England, who found the Charter in possession of Henry H. Almack of Milford, Suffolk, with whom he opened negotiation and purchased it for Dr. Maris.

Mr. Almack stated that his father had received it from an old Antiquary, a Mr. William Dalton of Bury St. Edmund's, who had often described to him the labor he

had in transcribing the original "Paston Letters" for Sir John Fenn, and he always supposed that the Penn Charter was given to him (Dalton) by Sir John Fenn, who was the greatest collector of Historical Manuscripts in England. Mr. Almack also stated that the late Mr. Winthrop of Boston was introduced to Mr. Dalton by his father and was much interested in his accounts of the Penn Charter.

This is all the information which could be collected about the Celebrated Document, from those who were the possessors of it before Dr. Maris purchased it.

After Dr. Maris got the Charter in his possession he determined to put it up at public auction and accordingly placed it in my hands for that purpose. I accordingly made researches in reference to it, and found that the State of Pennsylvania did not have the copy which was sent by Penn to the Assembly, the late Dr. Egle, then Librarian, had never heard of it and did not know what had become of it. I also discovered in reading it over that it was the original "Charter of Liberties for Pennsylvania" granting to the Province the right to choose a Governor and a Provincial Council or Legislature under the same form as is carried out to-day, with this information I inserted it as lot 958 A in the Historical Collection owned by J. Henry Rogers of New Castle, Delaware, and gave it quite a lengthy description. The Sale was advertised for May 8th, 9th and 10th, 1895, but before that date arrived, the attention of Gen. Hastings, the Governor of Pennsylvania, was drawn to the Document and the suggestion made that he should have Dr. Maris withdraw the Document from the Sale, and he, the Governor, have a bill introduced in the Legislature, then sitting, to purchase it. Dr. Maris was approached, and wishing that the State might own it, consented to withdraw it from the Sale, provided the Governor would give his word to use his influence with the Legislature to

appropriate \$15,000.00 for its purchase; this the Governor promised to do and did, accordingly, have State Senator Penrose introduce a Bill in the Senate for that purpose. Mr. Penrose introduced the Bill in the Senate and it was passed May 15, 1895, it then went to the Appropriation Committee and passed the following day and lastly went to the lower house, which passed it almost unanimously early in July, 1895, it then needed only the Governor's signature to complete the purchase, but just at that period the Republican party were having a factional fight, and the fact that Senator Penrose sided against the Governor, and because Senator Penrose fathered the Bill (at the request of the Governor) he, the Governor, vetoed the Bill under the plea of "Insufficient funds," and this too after having personally persuaded Dr. Maris to withdraw it from a sale where it would evidently have brought fully as much, if not more, than the price set upon it. The whole proceeding so disgusted the Doctor, that he did not attempt further to sell it.

The State owns the Charter, Charles II to Penn, conveying the Proprietorship to him, but this is the Proprietor's conveyance to the people, and in many ways is the most important of the two. It bears the signature and seal of Wm. Penn and is witnessed by Christopher Taylor—Charles Lloyd—Wm. Gibson—Richard Davies—N. Moore—Thos. Rudyard—Harbt Springett—James Claypool—Francis Plumsted—Thos. Barker—Philip Ford—Edward Prichard—and Andrew Sowle, and is dated the "Five and Twentieth day of the Second Month vulgarly called April, 1682." Its genuineness cannot be doubted, and it is in excellent state of preservation.

STAN. V. HENKELS

Manager Book Department

DAVIS & HARVEY

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The offer to purchase the Charter by Act of Legislature and the veto by Governor Hastings are all set out at length in the Legislative Record for the Session of 1895. The Bill to appropriate Fifteen thousand Dollars to buy the Charter was introduced by Senator Penrose, May 16th, 1895, and passed finally May 22nd of the same year. It was as follows:—

No. 86.

AN ACT

To provide an appropriation for the purchase of William Penn's Charter of Liberties to the Province of Pennsylvania.

Section 1. Be it enacted &c., That the sum of Fifteen thousand Dollars be and the same is hereby appropriated to purchase the document known as William Penn's Charter of Liberties to the Province of Pennsylvania, which document is the property of Edward Maris, doctor of medicine, residing at number one thousand one hundred and six Pine Street, in the City of Philadelphia.

The said appropriation to be paid on the warrant of the Auditor General on a settlement made by him and the State Treasurer, upon a properly certified statement from the Governor that he has received the said document in behalf of the Commonwealth.

WALTER LYON

President of the Senate.

HENRY F. WALTON

Speaker of the House of Representatives.

Governor Hasting on July 6th, 1895, returned the Bill with his veto as follows:—

COMMONWEALTH OF PENNSYLVANIA,
EXECUTIVE DEPARTMENT.

HARRISBURG, PA., July 6, 1895.

I herewith file with my objections, in the office of the Secretary of the Commonwealth, Senate Bill No. 662, entitled "An act to provide an appropriation for the purchase of William Penn's Charter of Liberties to the Province of Pennsylvania." This bill appropriates the sum of fifteen thousand dollars to purchase the document known as "William Penn's Charter of Liberties to the Province of Pennsylvania." In the present condition of the finances of our State, when our charitable institutions, existing wholly or in part by State aid, are in urgent need of all moneys that can be spared, I deem it improper to give my approval to the measure under consideration.

DANIEL H. HASTINGS.

Dr. Edward Maris, the owner of the Charter, died in 1902, and his Executor, Mr. Alfred E. Maris, sold it to Mr. George C. Thomas on April 11th, 1902, and it still remains in his possession.

It is in a remarkable state of preservation, and though it has existed for two hundred and eight years, the letters are marvelously clear and distinct, and only on one place on the parchment, where there is a crease, is there experienced the slightest difficulty of reading the words by which William Penn founded the Keystone State of the Union.

The document is engrossed on two sheets of parchment nearly square in shape, it is neatly folded, and the outside portion only, which has been exposed to a greater or lesser extent, shows the effect of handling, and is somewhat discolored. It bears the date, "twenty fifth April one thousand six hundred and eighty two" upon the exposed portion.

A. H. R.

PHILADELPHIA,
November, 1908.