

**JOHN KINSEY: SPEAKER OF THE
PENNSYLVANIA ASSEMBLY
AND JUSTICE OF THE SUPREME
COURT OF THE PROVINCE**

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John Kinsey: Speaker of the Pennsylvania Assembly and Justice of the Supreme Court of the Province by Joseph S. Walton

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JOSEPH S. WALTON

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"PLANTATION," SOLD BY JOHN KINSEY TO WILLIAM PEMBERTON.

John Kinsey

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AND

JUSTICE OF THE SUPREME COURT
OF THE PROVINCE

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JOHN KINSEY.

IN that religious revolution of the seventeenth century which emancipated the individual and strove to remove the necessity for an intermediary between God and man, the early Friends took an active part. They, like the followers of Meno, and the disciples of Spinoza, believed that the individual was more important than any system of education, any code of philosophy, or any state government. This spirit of individualism, when subdued and guided by a strong religious fervor, made the individual a good student, a good citizen and a good Christian. This doctrine was promulgated at a time when the old-school leaders in the universities, the churches and the governments of Europe looked upon its authors as fanatics, heretics and traitors.

The Society of Friends brought this vigorous individualism with them into Pennsylvania and the provincial government. They

JOHN KINSEY.

opened their doors to the Indians, the Swedes and the Germans—to men of all races and denominations. This heterogeneity developed with remarkable vitality a condition of emphatic, if not inflated, localism in governmental affairs. This element among the people overturned Penn's Frame of Government and placed in its stead the Privileges and Concessions of 1701. It was this element which gained for the Pennsylvania Assembly a privilege enjoyed by no other provincial legislature, or even Parliament itself,—the right of convening by statute and adjourning when the business was completed. All the colonial legislatures except Pennsylvania were called and adjourned by the Governors.

This remarkable and startling innovation was the cradle which nursed Pennsylvania liberty, and enabled its citizens to enjoy an unparalleled degree of colonial prosperity. This condition enabled a Quaker and German Assembly to rule and guide the state against the protest of the proprietary interests and in spite of the ruling of the English Board of Trade.

JOHN KINSEY.

The leader of this so-called "Quaker Experiment in Government" was John Kinsey the third, whose grandfather, John Kinsey the first, was one of the commissioners sent out by the proprietors of West New Jersey in 1677.

The elder Kinsey was taken ill on the good ship "Kent," and his devoted son put him ashore at the Swedish settlement at Shackamaxon, where he died in a few days. He was buried in the land promised unto him, the land for which he had mapped and planned a Quaker settlement before he left "old England." His burial place was subsequently known as Burlington, New Jersey.

EARLY EDUCATION.

His son, John Kinsey the second, became an active and acceptable minister among Friends. He traveled extensively in the ministry, and in 1716 his legal talents brought him into the New Jersey Assembly, where he served as its speaker for a number of years.

His son, John Kinsey the third, has been spoken of by his contemporaries as "the

JOHN KINSEY.

learned in the law, John Kinsey, Esquire." He was well born for the work before him. Three generations of legal and ministerial vigor found their maximum in him.

We are told that "he was a lad of quick parts, having the advantages of a good school education as well as of parental discipline. In his youth," says his memorialist, "he chose the better way. At an early age he commenced the study of law and became a sound jurist."

The most conservative among Friends at that time looked upon him as one most graciously preserved from the leaven of the ungodly. He was made clerk of the Philadelphia Yearly Meeting, and was entrusted with the most weighty concerns of the Society.

At the same time he plead both civil and criminal cases before the bar, sat in the Pennsylvania Assembly and guided its policy as speaker, and during a number of years sat on the bench of the Supreme Court of the Province.

JOHN KINSEY.

REFUSES TO REMOVE HIS HAT IN COURT.

In 1735 he came to Philadelphia to plead a case before the Pennsylvania Court of Chancery. Governor Keith presided at that time. John Kinsey commenced speaking with his hat on. The Governor ordered him to remove it at once. Kinsey declined, saying that he could not do it for conscience' sake. The Governor then directed the officers to remove the offending hat, and the case proceeded. A ripple of suppressed laughter went round the court-room, and doubtless more than one dismissed the incident from his thoughts with some contemptuous remark about that fanatical Quaker from the Jerseys.

Not so, however, with the Friends in and around Philadelphia. They gravely discussed the matter in their meetings for discipline. The Quarterly Meeting took it up, declaring that such proceedings were an infringement upon the religious liberties of the community.

Ten men were sent to Governor Keith with a written protest declaring that the charter