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Historical Society of Pennsylvania

The Mifflin Mansion at the Falls of Schuylkill (Story on Page 53)

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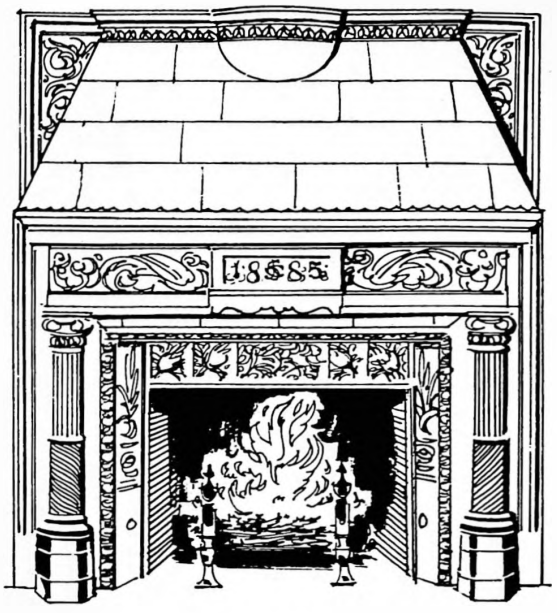
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GERMANTOWNE CRIER



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Fingers of Fog

By Elizabeth Reeves Humphreys

Fog crept in from the muffled sea
Holding a cloak of white mystery,
Spread cotton fingers over the sand,
In silence reached for the helpless land.
With unheard laughter it straightened my curls
And lavished on me a cap of pearls . . .
It strung a necklace for tree and bush
Deftly and in the deepest hush . . .
It touched the curtains in my rooms
And the curtains hung limp like withered blooms.

From over the sea there came a sound
Lonely as the wail of a hound
Who strayed too far and lost his way . . .
I heard it again and again all day . . .
A ship was talking, the foghorn blew
As thicker and thicker the white fog grew . . .
In warning, in loneliness, and fear
It said "I'm here . . . and here . . . and HERE."

The cottony fingers halted men
Hurtling over the landways, then
Touched the planes and clipped each wing
As birds, subdued, ceased to sing . . .
They hid the buildings, proudly tall
And held the fear-filled world in thrall.

HISTORIC GERMANTOWN

Historic Germantown from the Founding to the Early Part of the Nineteenth Century, an authoritative book on local history and architecture, is recommended to all who have an interest in Germantown. This book (150 pages, 9½ by 12 inches), published by the American Philosophical Society in 1955, was written by Harry M. Tinkcom, Margaret B. Tinkcom, and Grant M. Simon.

Photographs of historic buildings in Germantown, Mount Airy, and Chestnut Hill, descriptions of the architectural features of these structures, and measured floor plans of the buildings, drawn by Mr. Simon, comprise a large part of the book. Also included is a concise general history of Germantown by the Doctors Tinkcom, a detailed map showing the locations of local historic sites and landmarks, and a bibliography of Germantown.

This substantial volume is available for $5.00, plus a mailing charge of 50¢. Orders for the book may be sent to:

Captain Edmund A. Crenshaw, Jr.
519 Pelham Road
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Checks should be made payable to Captain Crenshaw.

MEMBERSHIP INFORMATION

The Germantown Historical Society welcomes new members. Privileges of membership include attendance at all lectures, tours, and other functions sponsored by the Society. Members also receive current issues of the Germantowne Crier without charge. Society dues are as follows:

Life (payable quarterly or at once)	$100.00
Sustaining or Business	10.00
Annual	6.00
Junior (under 18), Teacher, or Librarian	3.00

Interested persons are invited to obtain further information by contacting the chairman of the Membership Committee:

Mrs. Arthur E. Weil
3912 Netherfield Road
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The GERMANTOWNE CRIER, published in March, May, September, and December, is available at the subscription rate of $1.00 annually.

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Report of the Relics Committee

Thomas von Trott, *Chairman*

The Germantown Historical Society gratefully acknowledges the following gifts:

From the **Estate of Alice M. Connor:** a Hepplewhite card table. In accordance with specifications in the will of Alice M. Connor, the table has been placed in the Morris House.

From **Captain Edmund A. Crenshaw, Jr.:** a beautifully wrought model of the sloop of war *Germantown*, made by Captain Crenshaw and based on blueprints from the Navy Department. Another model is currently under construction for future presentation to the Museum.

From **Miss E. Kent:** a group of portraits, done in oil, of the Ellison and Bullis families, along with family histories, photographs, books, and genealogies; glassware and china. Colonel Thomas Ellison, III, was a member of General Knox's staff at Newburgh during the Revolution. Major Bullis was active in the War of 1812.

Two chandeliers have been installed in the first-floor front rooms of the Museum, complementing the fluorescent fixtures of the adjacent exhibit rooms as part of an effective lighting system.

CRIME IN THE "GOOD OLD DAYS" OF PHILADELPHIA

By NEGLEY K. TEETERS
*Hartwick College, Oneonta, New York**

PENN'S GREAT TOWN—
THE PENAL CODES OF THE DAY

THE criminal turbulence of modern times, whether it be in Philadelphia, Miami, or Cheboygan, represents a major social problem. The hue and cry resounding from law-enforcement officials, jurists, and others, relating to "crime waves," delinquent youth, and lack of respect for private property and the person, prompts our attention especially because we are a part of it all. But we have always had murder, mayhem, and assaults, as well as corruption in high places. Apparently what is needed, so far as crime in Philadelphia is concerned, is a sense of perspective. This article attempts to show that the "good old days" that seemed benign, when human activity seemed simplicity itself, really did not exist; or, if they did exist, that they were short-lived indeed.

From time to time one reads about the mild and humane treatment of offenders in the colony of William Penn, as well as the enviable record of progressive penal thought and practice in the later Commonwealth of Pennsylvania—at least in its earlier decades. Many readers will remember Dr. Louis Robinson, onetime resident of Swarthmore and valiant crusader in behalf of parole and prison labor. This writer heard him state, on numerous occasions, that Pennsylvania had once led the country in its tolerance, undertsanding, and treatment of the criminal, but had lost that enviable position in modern days. It is not the purpose here to assay corrections in this commonwealth at the moment, but rather to present a few morsels of social history that bear exposure among contemporary dilettantes, in whose company this writer might feel comfortable. This, because he spent almost forty years in the Delaware Valley before he wandered off to New York State to enjoy "semi-retirement."

The Philadelphia humanitarian Roberts Vaux, writing in 1826, referred to the Great Law of William Penn—enacted at Upland [Chester, Pennsylvania] on December 7, 1682—as comparable to the Code of Alfred, promulgated in the ninth century, in its beneficence to society of the western hemisphere. Stripped of all corporal punishments and of the death penalty (save for premeditated murder), Penn's code was the amazement of the American colonies, except for the neighboring colony of West Jersey. But alas, within a few years—by 1700—the great lawgiver was obliged to introduce a new code as a result of the alleged sharp rise in criminality in his own beloved domain. Ratified in 1701 and known as the Newcastle Code, this new set of laws introduced such barbarities as branding, mutilations, flogging, and even castration for certain offenses.[1] This strange metamorphosis resulted from the disillusionment of the proprietor, as witness his words enunciated in 1697: "There is no place more overrun with wickedness, Sins so very Scandalous openly committed in defiance of Law and Virtue; facts so foul I am forbid by common modesty to relate ym."[2] In 1698 the great man's colony was referred to as "The greatest refuge and shelter for pirates and rogues in America."[3] Penn, writing from London, complained of rumors he had heard that there was widespread crime, not only in low places, but among those charged with the serious responsibilities in the colony. The idyllic days of Penn's green and great town seemed to be over, if, in fact, they ever existed.

Another facet of ambivalence of the provincial fathers was their concern regarding crime committed by Negroes, of which there was a goodly number held in bondage in the city. As early as 1693 the courts of quarter sessions were empowered to direct constables "against the tumultuous gathering of Negroes whom they should find gadding abroad . . . without a ticket from their Mr. or Mris. [*sic*] or not in their company, or to carry them to gaole, there to remain the night and that without meat & drink to cause them to be publickly whipped next morning with 39 lashes well laid on their bare backs for which their said Mr. or Mris. should pay 16d to the whipper."[4] This, let it be remembered, was in the colony that had eschewed corporal punishment!

Following in the footsteps of southern colonies in dealing with crime among Negroes, the Pennsylvania Council, in 1701, passed an act which placed the trials of Negroes in the hands of two specially designated justices of the peace before a jury of freeholders who had powers to "hear, try, and determine" the offenses of "murder, manslaughter, buggery, burglary, rapes, attempts of rapes, and other high and heinous enormities and capital offenses."[5] Note that all of these offenses, when committed by Negroes, were declared capital, although at the time but one offense—premeditated murder—was so designated. None of the records of these special courts—and few records of the regular criminal courts of that early day—remain (for Philadelphia County); thus we can only surmise

* *The author is Emeritus Professor of Sociology at Temple University, where he has taught for nearly forty years. At present he is Visiting Professor at Hartwick College, Oneonta, New York.*

Dr. Teeters is the author of several books dealing with criminal and correctional history of colonial times, and much of the material in this article has been taken from his works. In addition to those mentioned in the notes of this article, other major works of the writer include New Horizons in Criminology, World Penal Systems, *and* Penology from Panama to Cape Horn.

Dr. Teeters has been a member of the Pennsylvania Prison Society for many years, and he served for eight years as its president. He has also been a member of Governor Leader's Commission on Correctional Matters and of the two Commissions to Revise the Penal Code of the Commonwealth.

In December, 1963, Dr. Teeters was awarded the August Vollmer plaque by the American Society of Criminology in recognition of his writings in the field of corrections.

what penalties were imposed or enforced. Surprisingly enough, our own records of hangings in the colony show no Negroes subjected to the death penalty until "Joe" and "Caspar" were hanged in Philadelphia sometime in November, 1762, and one "Phoebe" was hanged in Chester County in March, 1764, all for burglary.[6] There was a quaint law on the books of that day (passed March 5, 1725) which called for the determination of an appraised "value" of slaves that were executed and for compensation of their owners with funds from the public treasury. It is difficult to believe that no Negro slaves were subjected to the gallows prior to the date attributed to Joe and Caspar, especially since the law permitting compensation to owners was on the books many years previously. In addition, in neighboring West Jersey, where a mild penal code was likewise in operation, several Negroes were executed for assaulting their masters, as well as for the commission of other serious traditional felonies.

The drastic code of 1701, introducing castration, proved to be so repugnant to the mother country that its repeal was ordered by the crown within a few years. As one student of this period puts it: "The more extreme punishments were permitted to be continued for but a few years, since in 1705 we had the rather unusual spectacle of the English Privy Council disallowing laws of the Quaker province because of their unusual cruelty—the law involving castration because it was 'a punishment never inflicted by any law of Her Majesty's dominions,' and the laws providing enslavement because 'selling a man is not a punishment allowed by the laws of England.'"[7] It is indeed a strange anomaly that it was in the colony of the humane Penn that castration was considered at all, even though no case can be found in which the penalty was actually invoked. However, it is difficult to believe that during the four years that the repugnant measure was on the statute books no victim was exposed to emasculation.

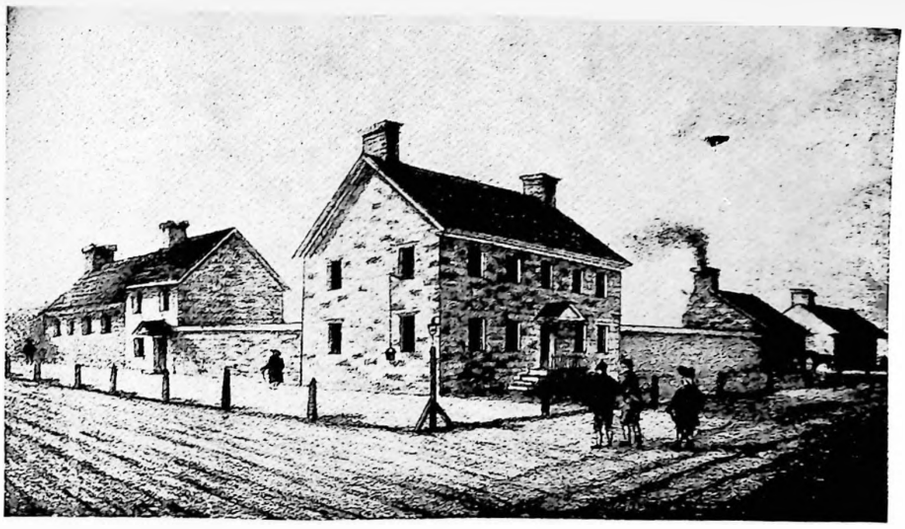
But, then, the colony holds another dubious distinction; Pennsylvania was the only colony (admittedly, after Penn's death) in which a white person was legally burned to death—and a female at that. The story is well known to historians but needs repeating in this article because it indicates the status of penal thought of that era. The case was that of Catherine Bevan, of New Castle (in the present state of Delaware, which was then a territory of Pennsylvania). This deceitful female, tiring of her husband, Harry, contrived with her servant, Peter Murphy, to do away with him by the "rat poison" method. However, they were obliged to resort to the cruder and more violent method of beating and choking him into oblivion. Murphy was sentenced to be hanged, and the woman, following the custom acquired from England, to be burned. The story of the crime and subsequent burning may be found in the *Pennsylvania Gazette*, September 9–23, 1731. The idea was "to strangle her dead before the Fire should touch her; but it first breaking out was in a stream which pointed directly upon the Rope that went round her Neck, and burnt it off instantly so that she fell into the Flames, and was seen to struggle." She met her tragic fate on September 10 of that year.

Contrary to some popular notions current in this country, no person was "burned at the stake" for witchcraft in the American colonies. Apparently the expression "witch-burning" is more symbolic than literal. And further, no person was ever executed in Penn's colony for witchcraft. In fact, the only three instances in which persons were charged with the crime in Pennsylvania seem to have been before 1718, when, for the first time, it was declared a capital offense. The first two persons charged with witchcraft were Margaret Mattson and Getro Hendrickson, but no decision was rendered by the court except that the defendants were required to post bonds to keep the peace. This was in 1683—just one year after the founding of the colony.[8] The third case involved Robert Guard and his wife, who, in 1701, were charged with being witches "by some malicious persons—John Richards, Butcher, and his wife, Ann." The case was dismissed because the evidence was too flimsy.[9] It is of some interest that, aside from one lone female in Maryland (Rebecca Fowler, hanged in Calvert County on October 9, 1685), no persons were hanged for witchcraft in any colonies other than Connecticut and Massachusetts.[10]

In the reading of what available records we have, it would seem that a new breed of criminal was showing up in the tranquil colony following the turn of the eighteenth century. As Professor Gipson appraises the period: "From prosecuting cases of larceny, slander, swearing, Sabbath breaking, assault and battery, drunkenness, the selling of rum to the Indians, and immorality . . . the authorities . . . were called upon to deal with burglaries, counterfeiting, highway robbery . . . horse-stealing, rapes, homicides, infanticides, and murders."[11]

Referring to horse-stealing, one myth should be exploded here. This writer has failed to find a single case in which a horse thief was hanged for this offense in the colony or commonwealth. In fact, no statute was ever enacted that decreed the crime as capital. True, at common law this apparently heinous crime could be punishable by hanging, but no person thus sentenced was ever hanged.

We know that the act of May 31, 1718, did not list horse-stealing as a capital crime, although there were thirteen offenses thus stipulated. We also know that, beginning in 1767, subsequent acts made penalties for the crime increasingly more drastic. In that year the punishments imposed for the crime were fines, the pillory, the whipping post, and imprisonment.[12] Later acts increased the severity of the penalties to embrace branding, ear-cropping, and hard labor. It is true that a few persons, whose crimes included horse-stealing, were hanged, but their indictments—for offenses such as highway robbery or burglary—were more inclusive and called for the death penalty.[13]



Erected at the corner of Third and Market (then High) Streets in 1718, the "Old Stone Prison" served as a place of dreary incarceration until 1784.

Illustrations for this article are taken from Dr. Teeters' book entitled *The Cradle of the Penitentiary*, which was sponsored by the Pennsylvania Prison Society.

The new breed of criminal alluded to above embraced the so-called "transported" felon from the mother country. It had long been the practice of England to send convicted felons, as well as indentured servants and debtors, to the various colonies. This practice persisted until the break occurred in 1776. Thousands of desperate criminals were landed on these shores, although most of them were dumped into the southern colonies. Of these, many who had served out their time on the southern plantations wandered into Pennsylvania as free men. Their presence tended to aggravate the crime rate in the Quaker colony. Benjamin Franklin was incensed at this callous practice and angrily told the British ministers that the same reasoning used for dumping their criminals on these shores would justify the Americans in sending their rattlesnakes to England.[14]

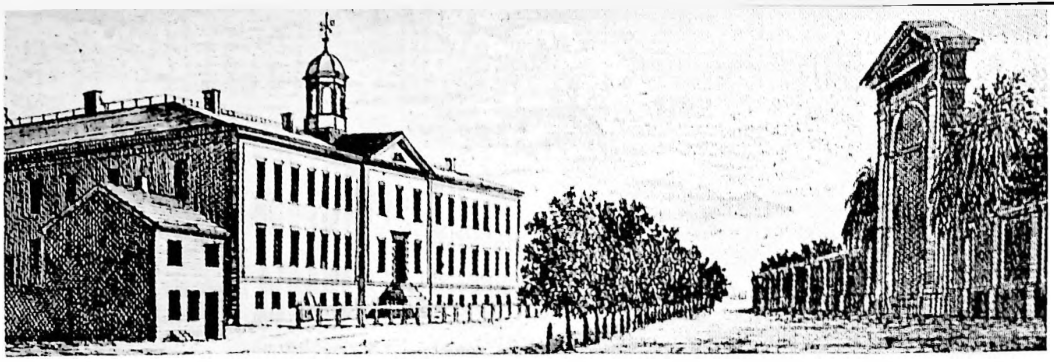
The Adoption of the Anglican Penal Code in 1718

The adoption of the sanguinary penal code of May 31, 1718, which listed thirteen capital offenses must have been a shock to many sensitive persons in the colony; yet, as Harry Elmer Barnes has stated it, "it was the product of the peculiar Quaker aversion to taking an oath and was one phase of the struggle between the Anglicans and Quakers." The details of that struggle have no part in this paper, but even at this late date it still seems deplorable that with one fell swoop the great dream of Penn could be dissipated so drastically with one act of the assembly—and, ironically, in the same year as the death of the astute lawgiver. Having lost their cherished right of affirmation in criminal procedures in 1715, the Quakers quite naturally yearned to have that right reinstated. In discussing this conflict and the subsequent consent of the Quakers in accepting the draconic code of 1718, Barnes concludes: "A more perfect example of the provincial tendency to 'strain at a gnat and swallow the camel' could scarcely be found and the incident proves that the Quakers could scarcely claim entire freedom from the weakness of so many religious sects in being more concerned with the empty form than with a great moral principle and a notable social reform. For the sake of indulging a sectarian whim they were willing to sacrifice one of their greatest contributions to civilization and human progress."[15]

The measure, passed on that thirty-first day of May, 1718, was entitled "An Act for the Advancement of Justice and More Certain Administration Thereof" and designated the following thirteen crimes as capital: various degrees of treason, murder, manslaughter by stabbing, serious maiming, highway robbery, burglary, arson, sodomy, buggery, rape, concealing the death of a bastard child, advising the killing of such a child, and witchcraft.[16]

Up to the time of the passage of this act there had been but four persons executed in the colony—and none in the city or county of Philadelphia. The first was a woman, Judith Roe, in Kent County (one of the Lower Counties, which were later to become the state of Delaware), on March 15, 1688, for murder—name of victim not recorded. Penn had refused the petition for a pardon, presented by her brother, Joseph Richardson, and called her a "murtherous woman" and her crime "notorious and barbarous."[17] Five years later, sometime in July, 1693, Derrick Jonson was hanged in Bucks County, at a spot later known as Tyburn (presumably for the place outside London where hangings were held) and not far from the present Morrisville, for murdering an unknown and throwing his body into the Neshaminy. Jonson was the ferryman at that place.[18] On May 9, 1718, but three weeks before the drastic act of May 31 was passed, Hugh Pugh and Lazarus Thomas were hanged at Chester for the murder of one Jonathan Hayes at Marple (now in Delaware County). The crime occurred in 1715, but, because the judges of that date and place refused to sit in criminal cases, these men were held in the jail for three years without a trial![19]

Our best evidence for the fact that but two persons were executed before 1718 is that, prior to that year, only the first two cases mentioned above are recorded in the *Colonial Records*. If, as we speculated earlier, there were others, and especially of Negroes, we have failed to find any records of their cases. The first person hanged in the city or county of Philadelphia was Edward Hunt, whose crime—counterfeiting—was, at the time, considered treason. Hanged on November 19, 1720, this unfortunate man deserves more



Designed as a county jail in 1773, the Walnut Street Jail, at Sixth and Walnut Streets, was expanded in 1790 to serve also as a state penitentiary. It was abandoned in 1835.

than passing mention, aside from the dubious distinction of being the first victim of the scaffold in Philadelphia. He wrote and had read at gallows-side a pathetic speech that attempted to rationalize his crime, which, as he believed, was in reality not a crime. His wife, Martha, was tried with him but escaped death. She was heavily fined.[20]

If crime was not reasonably rampant during the lifetime of Penn, it would seem that it rose in considerable crescendo after the adoption of the Anglican Code in 1718 Aside from the many capital crimes listed, others carried the punishments of flogging, standing in pillory or sitting in stocks, and other forms of corporal and humiliating punishments. Watson, in his *Annals of Philadelphia*, mentions several recorded offenses and punishments. We learn from him that in 1715 a great many persons were indicted for running unlicensed taverns; that in 1717 "women [were] publickly whipt for having illegitimate children"; that in 1729 a Charles Calaghan was "whipt round the town at the cart's tail" for attempting to ravish a ten-year-old girl, and at the same time another was given twenty-one lashes for stealing a saddle; and that in 1743 a "black man," brought up to the whipping post to be whipt, took out a knife and cut his throat at the post."[21] And so it went in colonial Philadelphia, "riddled with crime."

Aristocratic Hoodlums in the City's Streets

Not all those who were incarcerated in the city's early jails came from the ignorant and depressed classes. Occasionally the magistrates were obliged to cart off to those grim establishments a son or relative of one of the city's most distinguished citizens. At the time, it was the custom—a hangover from England—for the young bluebloods, or at least some of them, to make merry on the streets after dark at the expense of decent, law-abiding citizens. We read of muggings on the streets today, but, at least, theatre-goers today are reasonably safe from being attacked by gangs of hoodlums. Not so in early Philadelphia! Dressed in all their finery these young colonial "punks" would harass the watchmen by routing them from their boxes and taking over the downtown streets in hilarious merriment.

Returning to Watson and his *Annals*, we find this account: "1761: The insulting of several women in the streets, by cutting their gowns and petticoats with a razor, rendering it dangerous for them to appear without protection, as also of breaking of knockers and bells, cutting the spouts, &c. were nightly committed . . . The [culprits] proved to be the sons and relations of some of the most respectable citizens and whose parents and friends thought them absent from the city . . . But they lay concealed and slept in the tavern at the south-west corner of Chestnut and Fourth and from thence sallied forth at night to commit their depredations." Watson names them—all from respectable families.

In the preceding generation—to be exact, on the first day of the seventh month, 1704—"William Penn, jun.," the very son of the proprietor, was in difficulty because of a foray that he and some of his comrades made on the inn of Enoch Story in Combes Alley, in which a constable and a watchman were assaulted. It seems that "young Penn called for pistols to pistol them."[22]

William Webb, a raconteur without professional portfolio, tells of the goings-on of these hoodlums in a series of articles he wrote in the Philadelphia *Dispatch* at a much later date (1859–1860). We can't take his stories at face value, because he seems to mix his locales between Philadelphia and London as he writes about gangs called the "Mohocks" and the "Scourers." For what it is worth, however, he writes of them as follows: "They became a sort of organized night patrol in opposition to the constituted authorities. Acolytes of unreason, to whom law and order were 'bane and ipecac' they assailed and questioned everybody and exacted compliance with the most preposterous and unreasonable demands." He describes one encounter thus: "All at once, like the breaking of an epidemic, the streets resound with the screech of women, sudden, sharp, and startling. There is no ostensible cause, no preparatory warning. A lady . . . is quietly pursuing her way when a pungent pang drives her from the thoroughfare and a scream setting at naught all observances of propriety resounds, arousing into immediate action all the chivalric feelings a man possesses when appealed to for succor by a woman. A large pin has been driven into some prominent and accessible part of her person, and the perpetrator passes on among the crowd undistinguished." He continues by stating that several young men-about-town, all aristocrats, spend their time nightly "cutting the gowns of the ladies" as they, dressed in their "kid gloves, salt-and-

pepper coats, plush vests, scarlet smalls and crisply curled and powdered hair" go almost undetected and rarely punished.[23]

This delineator of tales of city streets in those early days continues in this vein: "Many a proud dame 'whose mantle rich, with border round, in deep and fretted broidery bound, in golden foldings sought the ground' found her pride abated upon the disclosure, on arriving at the gay assembly, of the 'envious gash' that betrayed her under 'making up.' Brocades and satins inartistically slashed showed, not sheeny silk, but less pretentious bafta bulging from the gap." A few of these "cutting knights" were finally apprehended and "sent to jail for a night and then scolded for their naughtiness." Or so states Mr. Webb!

How long this genteel marauding continued needs a bit of research. Here is a lovely story taken from a local paper of 1787: "A few days ago on Third Street a young coxcomb who had made too free with the bottle, having staggered after a lady of delicate dress and shape, at length laid hold of her hand, and peering under the large hat, told her that he did not like her as well before as behind, but not withstanding, he would be glad of the favour of a kiss; to which the lady replied, 'with all my heart, Sir, if you will do me the favour to kiss the part you like best.' "[24]

Delinquent Youth of Early Days

One gets the impression today that delinquency is a modern-day problem. Again, a sense of perspective is needed. While it is true that we find little data on the delinquency rates of early Philadelphia, there are some stray bits of evidence that sound familiar. Here is a protest coming from the Reverend Henry Melchior Muhlenberg, dated June, 1764. He writes in his *Journal*: "Today the city authorities ordered the constables . . . to patrol the watersides because complaints had come in that grown and half-grown boys were gathering in large crowds stripping naked on the banks and bathing in the river thus giving great offense on Sundays during the divine services. It is really dreadful in this large open city teeming and swarming with young folks of all nationalities who are permitted all freedom and frivolity for there is no strict policing or discipline. . . . The otherwise noble and good laws are too lenient and by comparison it is like trying to govern horses, mules and oxen with silken threads."

We see from the divine's plaint that already in 1764 the "foreign-born" were becoming the "whipping boy" to explain delinquency. How familiar a ring to later days of the 1840's, when the Irish bore the brunt of the blame for rising crime, and of the 1900's, when the Italians and other south Europeans likewise bore the onus for crime. But the Reverend Muhlenberg has other worries concerning the younger generation. He continues: "It is most dangerous of all for the children and young people and in this respect it is like Sodom and Gomorrah for the best and most devout parents have their troubles to guard their children against the poisonous pestilential plagues. I was obliged to caution this in church today as the deacons complained that they told several boys to be quiet and not disturb the others and the impudent rascals clenched their fists at them and poured out English curses such as 'Go to hell,' 'you son of a bitch,' 'God-damn you,' etc., And what is more they said their parents would protect them against the deacons."[25]

Delinquency, as we know it today, was not recognized in those early days. Children, or minors, as they were called, were unruly and headstrong, but, if they violated the penal code, they were criminals and subject to prosecution in the courts which were geared for adults. We find one seventeen-year-old hanged at Chester, as early as 1722, on August 15. He was William Battin, an indentured servant, not too long on these shores. He was convicted, according to the language of the *Colonial Records*, of "divers horrid, complicated crimes," but actually of arson and the resultant burning to death of the three small sons of his master while he was "baby sitting." His "folks" —the Pyles, of Bethel (at the time in Chester County) —left the youngsters while they were making a social call. Battin, going into the attic for some apples, used a candle which ignited some inflammable material. Panic-stricken, he ran from the house to fetch the parents, leaving the children asleep in the burning building. The parents hastened home immediately, only to see their house in ashes and their children dead. This ignorant servant boy would never have been executed today because there was no intent to kill or to do harm to the home. Then, too, his youth would undoubtedly have saved him. His confession of guilt, read at the gallows, was one of deep remorse, but if there was any explanation for his crime, it was that he "had been enslaved by the Devil."

Another youth, probably no more than seventeen years of age, was James Burke, who was hanged (along with two older criminals) on October 16, 1784, at Philadelphia. Young Burke killed his employer, or master, to whom he was indentured, using a "claw hammer" as a weapon. He attempted to leave the country by taking passage on a ship bound for Ireland, but the officers pursued the vessel down the bay and demanded his return to the city to meet his just deserts.[26]

The Prune Street apartment at the Walnut Street Jail served as a lockup for insolvent debtors.



The term "juvenile delinquent" is not seen in print prior to the 1820's. Minors were treated as adults in courts and in prisons. The 1820 decade seems to have been the period when reformers were casting about to care for children of tender years in some other manner. New York City started the movement by establishing a house of refuge in 1824 in an army barracks on Madison Square. Philadelphia opened a similar institution at the corner of Fifteenth Street and Ridge Avenue (at the time, Coates Street, or Fairmount Avenue, and Ridge Road). This was in 1828. It was headed by a Pestalozzian scholar, Dr. John M. Keagy, who, we learn by a perusal of his journal, did not spare the "cat" on his young delinquents—a strange reversal of the philosophy of his educational mentor. The Philadelphia House of Refuge was a grim place with a wall around it and a work and school regime that kept the young urchins, picked up by the magistrates and constables, busy from sun-up until bedtime.

As early as 1819 the need for a special establishment for youth was acutely felt. For instance, in that year "the venerable James J. Barclay . . . frequently visited the prisoners in the old county jail . . . and saw the hoary-headed in crime and the wayward youth in his teens, huddled together. He argued that a child, no matter how bad and how vicious, could only become more hardened and vicious, by daily contact with men . . . the x, y, z. of the criminals' alphabet."[27]

Most of the delinquents sent to the new institution were runaway apprentices or abandoned children from the slums of the city. After several months of the tough routine of the school they were farmed out as apprentices. Some of the older youths were shipped out on whaling ships. In time, this House of Refuge moved to Twenty-second and Parrish Streets and eventually to Delaware County—the boys to Glen Mills and the girls to Sleighton Farm.[28]

Many of the older and tougher youth of the city were housed, up to the mid-1830's, in the Prune Street apartment of the Walnut Street Jail, as well as in the "Bridewell," or Arch Street Prison. We have little material on the regime to which these headstrong boys were subjected, but one hint comes from a report in the minutes of the board of the former establishment, dated April 26, 1820: "the visiting inspectors were obliged to inflict severe punishment on many of the prisoners . . . owing to the want of discipline in the department under the former keeper . . . who compromised with them . . . and brought them to a state of insubordination." The report continues by stating candidly that "one means we have always had in our power to prevent riots and escapes, that of destroying their confidence in each other, was rendered entirely nugatory" so that "the informer's life" was placed in jeopardy. A kind of pandemonium broke out with "staunch" boys tearing off the hasps of the doors as fast as they could be repaired, so that some twenty-two boys had to be placed in cells. Here they set up a "continued howling and shouting, and then forced out one of the bars above the cell door, assisted one of their number through who immediately liberated all in the cells." They then swarmed into the kitchen and cellar, but by this time they were subdued by members of a neighboring hose house. A subsequent search unearthed a rope ladder carefully fabricated and hidden in a mattress.[29]

The above incident is related merely to indicate that there were tough delinquent adolescents in early days as well as today.

The Deplorable Conditions in Colonial Jails in Philadelphia

Colonial jails (gaoles) were crude and simple affairs at first—to match the times. The makeshift structures that served as detention facilities in Philadelphia were first a cage, and then a hired house, and subsequently a brick prison completed in 1695. In 1718 a more substantial building was erected at Third and Market (then High) Streets and became known as the "Old Stone Prison."[30] Wrote Roberts Vaux of this prison: "What a spectacle must this abode of guilt and wretchedness have presented, when in one common herd were kept . . . prisoners of all ages, colours and sexes . . . all intermingled in one corrupt and corrupting assemblage . . . besmeared with filth from the pillory, the unhappy victim of the lash streaming with blood from the whipping-post, the half naked vagrant —the loathesome drunkard—the sick suffering from various bodily pains—and too often the unaneled malefactor whose precious hours had been numbered by his earthly judge."[31]

We have more evidence concerning the deplorable state of this jail, which comes from the dissident Quaker Samuel Rowland Fisher, conscientious objector during the War of Independence, who spent some two years within its walls. He kept a journal in which he described in caustic terms the abominable conditions his fellow prisoners were subjected to, the tragedy of those who were hanged for conscience's sake, the coarseness of the jailers, and the escapes and riots that occurred periodically.[32]

Bad as our modern jails are, they cannot begin to compete with the degradation existing in this and other colonial jails and prisons. Those who are familiar with this era of our penal history know of the work of Richard Wistar, glass manufacturer, and of the various religious and civic societies that ministered to the physical needs of the miserable "tenants" of this "cesspool of iniquity."[33]

The successor to this Stone Prison was the famous Walnut Street Jail, which was destined to become "the crade of the penitentiary." Started in 1773, it was only partially finished in 1777, when the British moved into the city and used the structure as a Provost Prison. But, as early as January, 1776, the first contingent of prisoners—105 of them—was transferred from the prison at Third and High Streets to the new structure, and, promptly, "six of them broke jail the night after their transfer."[34]

There are several works available that deal with the

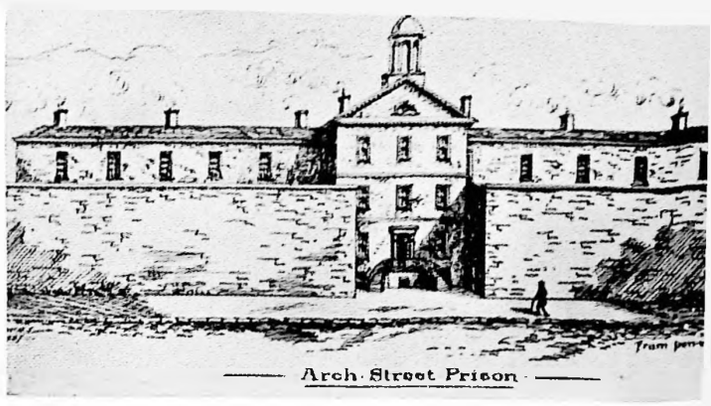
sordid history of this establishment, as well as with the chaotic status of penal legislation at the time. We need not parade them here. In 1787, the Walnut Street Jail was found by the newly-formed prison reform society, the Philadelphia Society for Alleviating the Miseries of Public Prisons (now the Pennsylvania Prison Society), to be a place of rank debauchery. Squalid intermingling of sexes and of persons of all ages, misery, the sale of liquor by the keeper, filth, and immoralities of all types abounded. A house-cleaning was in order, and by the act of April 5, 1790, a thorough renovation was ordered. For this the prison reform society deserved and received credit from contemporaries.[35]

Thus, Dr. James Mease, prominent physician of the day, wrote of their work: "The task was truly arduous. An Augean stable of filth and iniquity was not only to be cleansed, but industry and morality to be introduced and under difficulties almost insurmountable."[36] He goes on to excoriate the jailer at that time—the same jailer that burlesqued the visits of the Reverend William White and William Rogers to minister to the dejected prisoners—in the following terms: "He had grown wealthy by the abuses which had been for a long time tolerated, and feared the introduction of a system which would cause his conduct to be closely watched, and the garnish jail fees, sale of liquor, and other perquisites to cease."[37]

It is of some moment to state here, all too briefly, that the penitentiary was born in this little jail, where, for a short decade, from 1790 until 1799, it seemed to be the hope of the penal movement. Penologists from all parts of this country and from Europe visited the place and spoke and wrote glowingly of its regime and management. But, ere long, it fell on evils ways, so that the reform society of the city was obliged to come up with new answers. This it did, and out of the painful cogitation that took place during the first decades of the nineteenth century evolved the penitentiary concept with separate confinement—that is, cellular incarceration with labor, but without the contamination of prisoners occasioned by allowing them the company of their fellows. It is this system that de Tocqueville and de Beaumont appraised in their work *On the Penitentiary System in the United States*, published in 1833.[38]

Earlier we mentioned the so-called Prune Street apartment which stood directly behind the Walnut Street Jail. This was used as a debtors' prison, and it was in this structure that Robert Morris was held "in durance vile" from February 15, 1798, to August 26, 1801. His lot, however, was not too disagreeable, aside from loss of freedom. He was permitted special food and quarters and was visited by his friends, one of whom was George Washington. Later, as we indicated above, this Prune Street building was translated into a receptacle for criminal youth.

Then there was the Arch Street Prison, mentioned above. Conceived primarily to house vagrants, it was



Arch Street Prison

built during the first decade of the 1800's and opened in 1817. Conditions in this jail were no better than was generally the case in the earlier prisons. Prisoners milled about its corridors, corrupting one another and causing anxiety to the keepers. Captain Basil Hall, of the British Royal Navy, visited the establishment on December 10, 1827. He was shocked at the debauchery he witnessed. He was told there were no youths in the jail proper—they were merely housed in single cells in another part of the building. He wrote: "We walked through a long series of half-darkened passages joined by flights of steps, some leading up, some down, till at length far away from the rest of the world, we came to a range of cells, each ten feet by six, the passage with which they were connected being feebly lighted by a narrow window at the end. These dens were closed by iron doors with chinks left for air and at each of them was confined a single boy who was left there both day and night in absolute solitude—without employment of any kind, without books, and far beyond the reach of appeal to any human being."[39] A typical grand jury presentment, commenting on the conditions found in this jail, reads in part: "Vagrants and untried of all colors and degrees of crime are there assembled in a common room and form one common association. The . . . murderer is seated beside a youth confined for a drunken bra —the robber and passer of counterfeit . . . all formi a mass of vice, whose contaminating influence mu be felt by everyone."[40]

Despite the fact that members of the prison reform society visited the males in this shoddy institution and members of the Society of Women Friends gave succor and friendly counsel to the miserable females incarcerated within its walls, it was a sorry prison and was destined to come to an inglorious end, for which a probably distressed public was undoubtedly thankful. The erection of Moyamensing Prison made this possible.[41] But in 1832, when the Arch Street Prison was still in use, the place was ravaged by a horrible plague of cholera. A citizens' report, describing the situation on August 5 of that year, when some eighty persons were stricken with the disease, states: "The scenes of that memorable day were of unparalleled fearfulness and loathsomeness in the history of Philadelphia. Before night not less than seventy persons who were living in that building when the morning dawned were consigned to the grave."[42]

(*Continued on page 60*)

HISTORIC

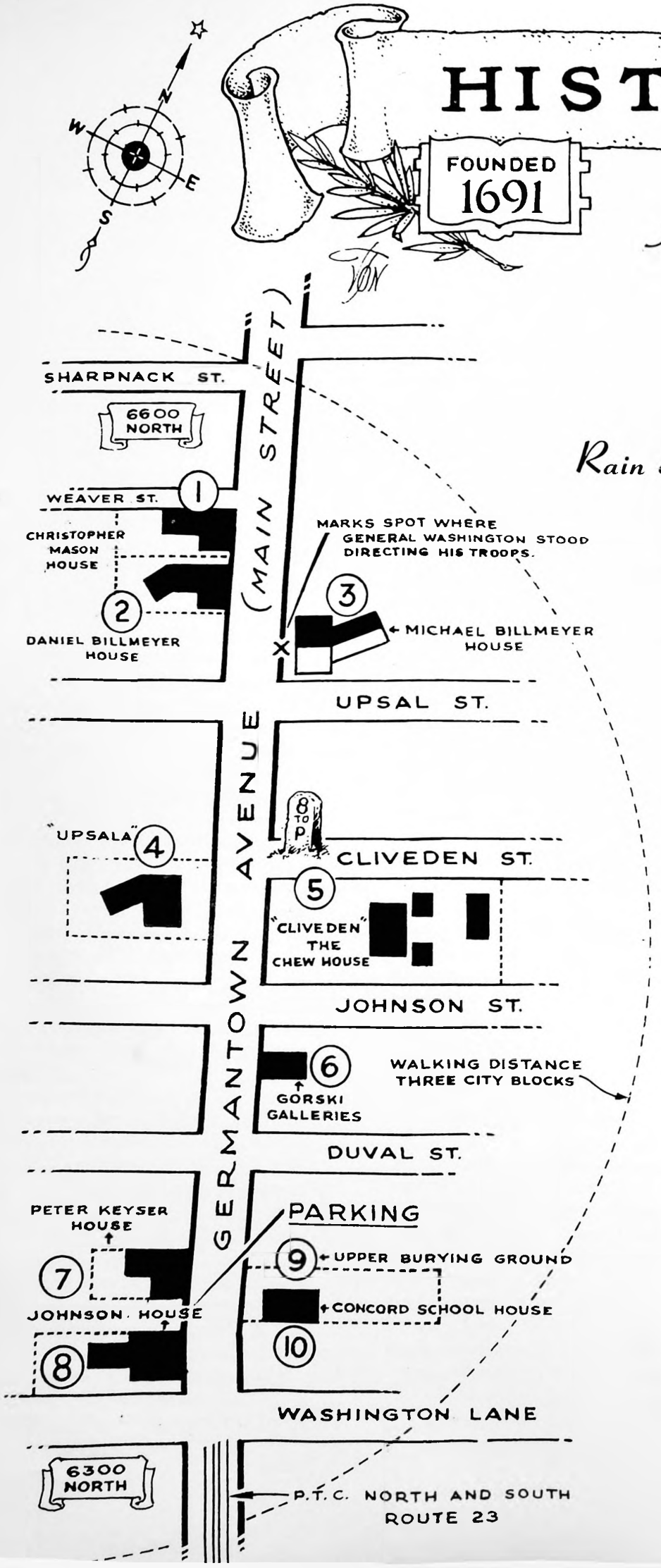
FOUNDED 1691

Annual Tour of His

THE GERM

ADMISSION TO ALL HO

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GERMANTOWN



ical Houses — Sunday, May 16th — 1 to 5 p. m.

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S $2.00 . . . TICKETS MAY BE PURCHASED AT EACH HOUSE

NO SINGLE HOUSE ADMISSIONS

Note: FLAT HEEL SHOES ARE REQUESTED TO ELIMINATE DAMAGE TO OLD FLOORS.
Thank You!

SON HOUSE—6514 German- wing is the earliest part of bly built about 1765, the date he main part, or front of the ss inscribed in the chimney. the Germantown Historical

USE—6504 Germantown Ave- ael Billmeyer in 1793. Daniel perty from his father in 1831. e of the domestic architecture Federal Era. It remained in 913. Now owned and occupied mith, Jr.

HOUSE—6505-6507 German- Billmeyer House is in reality ams under one roof. Built in occupied this property in 1789. gg the Battle of Germantown v House was directed from in eral Washington. Houses are own Historical Society.

own Avenue. This was built 3rd, grandson of the John r Johnson House. Today it is st examples of late Georgian brief period in the nineteenth im the Johnson family until k of the house is a small house rly seventy years earlier than e Battle of Germantown, can- v House opposite, were placed

House—Johnson St. and Ger- jamin Chew, Attorney General Supreme Court Justice under country seat of "Cliveden". the heavy walls of this house and made it the pivotal point nsiderable damage by gunfire. mous big houses of the Colonial and spacious. Descendants of erve souvenirs of the romance Major Andre. House is occu-

Germantown Avenue. House is ticon with fine interior wood- down to what was the original ermantown Avenue). Note the Studio has display of art work rned and occupied by Napoleon

7. PETER KEYSER HOUSE—6316 Germantown Avenue. House is on property purchased by Dirck Keyser from Adam Simon Kuhn in 1756. Keyser had his tanyard on the property, as did his son Peter. Site of a fierce conflict during the battle of Germantown in 1777. House and grounds now owned by Kirk and Nice. Featured here is a collection of paintings of old Germantown.

8. JOHNSON HOUSE—6306 Germantown Ave. House was built 1765-1768 by Dirck Jansen, who built it for his son, John Johnson. The Johnsons were tanners and the tannery was at the rear of the property. The house remained in the Johnson family until 1920. It was the center of the fighting during the battle of Germantown. Bullets and a cannon ball left their marks on three doors and the north-west wall.

9. UPPER BURYING GROUND—Adjacent to Concord School House. Burial place of many Revolutionary soldiers and early settlers of Germantown. Oldest known grave, 1716.

10. CONCORD SCHOOL HOUSE—6309 Germantown Avenue. Was built in 1775 as a school for the residents of Upper Germantown. The original schoolroom furniture has been well preserved. In addition to the teacher's desk, there are ten pupils' desks of different types. First meeting was held here which led to organization of the Junior Order of United American Mechanics.

Visit THE MORRIS HOUSE 5442 GERMANTOWN AVE. NATIONAL CAPITAL WHEN WASHINGTON OCCUPIED THIS HOUSE IN 1793-1794 . . . HOUSE WAS BUILT 1772.

GERMANTOWN HISTORICAL SOCIETY MUSEUM AND COSTUME MUSEUM — 5214 AND 5226 GERMANTOWN AVENUE.

THE PERPETUAL-MOTION CAPER

By RICHARD S. FULLER

HOUSES are often named after their builder/original owner; or, in the case of famous subsequent owners, given hyphenated names, which then look like coupled railroad cars. In other cases, a famous person who just lived in a particular house might lend his name, voluntarily or otherwise. The case of 8419 Germantown Avenue is a variation of this latter situation. Charles Redheffer, no doubt reluctantly, gave his name to that house, and for reasons that can only be called infamous.

In 1812, Redheffer briefly passed off a bogus perpetual-motion machine as the real thing. Now this deception may seem fairly innocuous from the vantage point of the sophisticated sixties, when quiz scandals and television hoaxes seem, like Christmas, to be annual events. In 1812, though, Redheffer was taken very seriously by some people, among them William Duane, the editor of the *Aurora General Advertiser;* while other people just tried to take him or prove him a fake.

The truth of the matter appears to be a bit more complicated than a choice between two extremes, in this case between inventive genius and sheer hypocrisy. Redheffer was apparently part P. T. Barnum, part disappointed inventor, part con man—in short, an interesting person. Perhaps it is a flaw within us, but we seem to be forever fascinated with rogues and villains, both high and low. According to John F. Watson, in his *Annals of Philadelphia*, Redheffer "was . . . said to be an immoral man, and a gambler." The addition of "gambler" to the statement seems to be an afterthought, as if "immoral man" were too vague, as indeed it is. But gambler, yes; and the stakes, immortality.

The Philadelphia directories for 1818, 1819, and 1820, some years after Redheffer's deception was discovered, list him as a millwright. *Webster's New Collegiate Dictionary* defines a millwright as "one whose occupation is to build mills, or to set up their machinery." Redheffer was a millwright for years before his alleged invention. One can assume, therefore, that he was quite skilled in the setting up of machinery.

Here is Edward W. Hocker on the matter, in his book *Germantown, 1683–1933:* "Early in the summer of 1812 Redheffer announced his discovery of the secret of perpetual motion, after a series of experiments in his house at Chestnut Hill. Thereafter he conducted most of his operations in a shop along the Schuylkill above Callowhill street, Philadelphia."

Redheffer is not listed in the city directories around this time. He is, in fact, listed only in the above-mentioned directories, as if the earlier directories, anticipating the future, did not want to be associated with him. Ironically enough, there was no directory issued in 1812. You may remember, however, that there was a war going on.

John J. Macfarlane, in his *History of Early Chestnut Hill,* quotes the following advertisement from the *Aurora:*

PERPETUAL MOTION—THE CURIOUS, THE MECHANICAL, the learned and ingenious, may be gratified in seeing and in being convinced that that which for centuries has occupied, perplexed, and puzzled the philosophic and experimental world (and, indeed, by some of the greatest mechanical geniuses supposed beyond the reach of human invention) is now fully, completely and perfectly demonstrated in the SELF-OPERATING, SELF-MOVING MACHINE, constructed by the subscriber on principles purely mechanical, and now offered to the inspection of an enlightened people. Lovers of the arts and sciences will, it is confidently expected, be highly gratified in seeing and in contemplating that amazing display of genius which it has fell to the lot of an American to exhibit, which must, by the whole world, be allowed to surpass any invention heretofore discovered or made public wherein mechanism had the principal agency. It will for a few days be exhibited, from 9 o'clock forenoon to 4 o'clock afternoon, three doors below Mr. Henry Cress's Tavern, Chestnut Hill, Germantown Township, Philadelphia County, Penn'a. C. R.

N.B.—Admission, five dollars. Female visitors gratis. Tickets to be had at the inns of Henry Cress, Levi Rex, and John Grover, Chestnut Hill.

If the style is the man, then C. R. would be at home with a carnival tent behind him and a crowd, just waiting to be taken, in front of him. The business aspect, in the closing note, is brief and to the point, with the nice touch of women being admitted free of charge. Not too greedy, that is. Keep in mind, though, that female visitors would probably be accompanied by male visitors.

The advertisement is a shrewd one, if a bit vulgar. Consider the opening line: "THE CURIOUS, THE MECHANICAL, the learned and ingenious." Everyone, that is; unless, of course, some modest person did not qualify for any of those categories. In which case, C. R. offers a second chance: "enlightened people." Or, even, a third choice: "Lovers of the arts and sciences." Then there is C. R.'s modesty: "that amazing display of genius which it has fell to the lot of an American to exhibit." Recall once again that this was a war year, which may partially explain that note of chauvinism. A con man, you may conclude, with the knowledge of hindsight, a P. T. Barnum. Fair enough.

For contrast, here is a portrait of a man who would seem incapable of writing the above advertisement. The article appeared in the *Aurora* on Thursday, November 19, 1812, and was written by "Bell."

Mr. Readhefer is, apparently, about forty years of age; of a thin and spare habit of body, but tall and of good proportion — his eye possesses no peculiar fire, but is fixed, thoughtful and steady — and though fond of society and of humor, his countenance denotes considerable abstraction of mind. He is in general silent, though not the silence of sullenness, but expresses his opinions with firmness, directness and brevity: — and to his honor be it said, that under many trials and difficulties and temptations, he is honest, disinterested, and sober. — As far as I can inform myself, he possesses the simplicity of genius without any of the vices with which genius is too frequently associated. His disposition is obliging and sensible — perhaps he trusts too much to strangers. Certainly he has felt very severely from their rudeness, and their ignorance, pride, presumption and folly. His mind is absorbed in mechanics — he does not appear to possess much of what is called book learning; or *general informa-*

tion, but he is sensible of the great moral truth, that all conspicuity has its thorns, and in his conversation with me he alluded to the great example for his and for all christian imitation, where even divine goodness could not escape from injury and reproach — His character brought forcibly to my memory the similar one of the celebrated *Brindley*, and they certainly present two memorable instances of the energy of the human understanding -- which, without letters, without science, without art, without education, without a guide and without a support, soared up to the summit of what is possible in nature, and rested themselves in the highest grade of human intellect. Such is the man — his machine is as simple and as great. It was not constructed either by the science or the intelligence or investigation of Newton, but it puts to flight even his investigations, intelligence and science.

An *amen* would not seem out of place at the end of that hymn of praise. Can this be the same Charles Redheffer who wrote the above advertisement? His countenance may have denoted considerable abstraction of thought; but there was nothing abstract about his business sense, not with a five-dollar admission charge. "He is honest, disinterested, and sober." Sober, perhaps. There is an anti-intellectual tone to the piece that turns up in the editor's almost equally passionate defense of Redheffer. The notion of "the simplicity of genius," for example. Simplicity is the last word that one might use to describe genius. "He does not appear to possess much of what is called book learning," Bell writes, but nevertheless he "soared up to the summit of what is possible in nature," to the summit of topping Newton. Even allowing for the newspaperman's poetic license, exaggeration, the article seems extreme. Some American myths die hard, though, and the one about the simple man, uncontaminated by book-learning but outdoing his educated rival, dies very hard indeed.

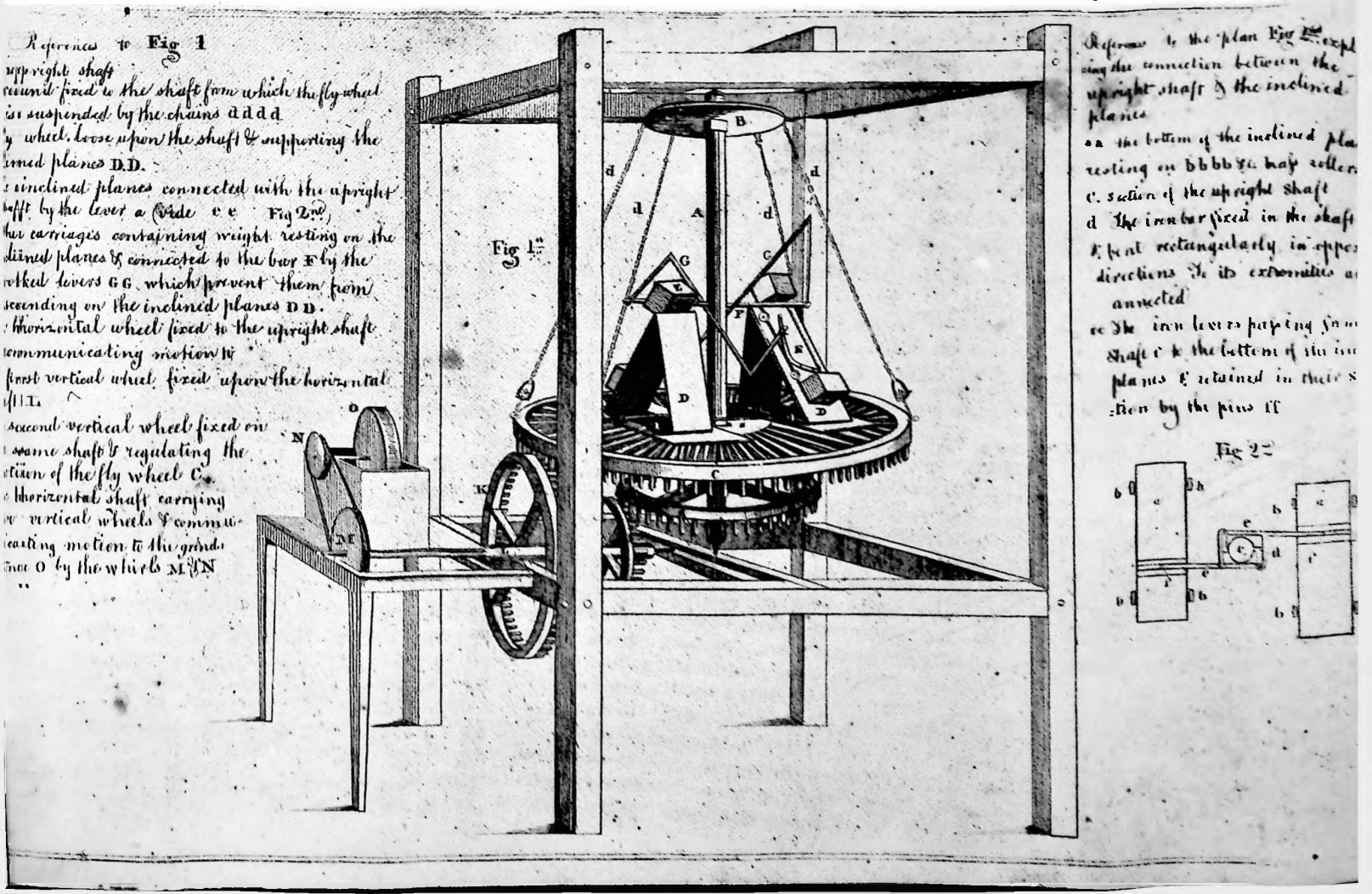
In an editorial that appeared in the November 13, 1812, issue of the *Aurora*, we read:

> A plain country working millwright, a native of the neighborhood in which he at present resides, of the name of *Readhefer*, has for more than eleven years been employed in various efforts to construct machines containing within themselves the power of spontaneous and continued motion. All along satisfied of the practicability of the object which he wished to accomplish, he has not been discouraged by poverty nor by the frowns and sneers of opulent ignorance; he has persevered against scoffers and scorners, and against imputations of insanity; and has to his honor, and to the honor of his country, actually accomplished the construction of a machine simple in its appearance, obvious in its power and means of motion, easy of construction when the principal is once understood, and to appearance susceptible of application to any extent within the strength and power of wood or metal.

The same editorial includes this interesting paragraph: "Our readers are accustomed to look to this paper for authentic information on all subjects which appertain to the honor and interests of the nation; and they have not, it is presumed, been at any time deceived in this expectation; we are not accustomed to take information upon trust, where there is a possibility of obtaining with our own eyes, the opportunity of seeing and judging."

Again, notice the chauvinistic tone: "the honor and interests of the nation." America was, after all, a very young nation. And then this ironical statement: "we are not accustomed to take information upon trust." The affair, though, seems to be not one of trust but of faith: faith versus book-learning, faith versus education. Having written that the *Aurora* does not take information on trust, Duane goes o to write: "The main and moving power is yet to b explained; and although very simple to the intelligen

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eye cannot be so satisfactorily described, from the peculiar simplicity and ingenuity with which the *power of gravitation is applied to produce a perpetual horizontal action.*"

The editor was wiser than he intended when he wrote "peculiar simplicity."

There were Doubting Thomases, though. A letter sent to Redheffer, written by one D. F., was printed in the *Aurora* the following day.

> . . . the deception is detected I can now build one and set it in motion, and as for your Patent I do not care one cent about it, the Law only grants Patents for new and useful improvements but will not protect you in a deception, I am poor and much in want of money if you will help me I will not shew the deception if not I will build a moddle or moddles and exhibit to shew the deception and make money out of it in that way, if a man is deceived no one can hurt him from shewing the deception or shewing to others that a thing shewn as a reality is not such in fact but that it is a cheat. . . .

And on and on and on. Leaving aside the derangement of the syntax and, probably, of the writer, the curious thing is that Redheffer showed the letter to Duane in the first place; unless, of course, Redheffer himself was taken in by his own deception and believed he really had solved the perpetual-motion problem. Curious business. Redheffer had worked on the problem for eleven years, though—a long time for dreams and frustrations to accumulate. He might even have believed what he read in the newspapers.

Rittenhouse, another Doubting Thomas, wrote to the *Aurora*. His letter, a more rational one than D. F.'s, was published on November 27, 1812.

> Mr. Duane — Ever since the problem of a perpetual motion has been proposed to mechanicians, great numbers of persons have been constantly devoted to its pursuit. Hitherto their anxious expectations, and their delusive hopes, have led only to poverty and despair. At last, however, we have it confidently asserted, that this great desideratum is attained, in a machine invented by Mr. Charles Readhefer, and now exhibited at Chestnut-hill. To persons unacquainted with the principles of mechanics, this machine presents the most specious show of plausibility; and the secret of its movement is so ingeniously concealed, as to have eluded every attempt at detection.

After a reasoned, rational description of how Redheffer's machine could not possibly work, he concludes his letter as follows:

> No disinterested person, so far as I know, pretends to have seen this machine, in continued movement, more than half a day. This argument, then, of its being a perpetual motion, bears, to absolute proof, the proportion of half a day to eternity. No conviction, therefore, is to be expected from this source.
>
> "But," say the perpetualists, "if the machine be not capable of self-motion, it must be moved by some concealed force; and this, the examination which it has undergone seems to disprove." We acknowledge that no investigation has hitherto detected the secret of this motion: but any one, acquainted with the history of mechanical inventions, must know, that deceptions have frequently been so successfully practised, as to defy, for a long while, the strictest scrutiny; and that, among these deceptions, many of the most successful, have been pretended perpetual motions.

Rittenhouse was right, of course. Still, it seems only fair to include Bell's description of how the machine supposedly worked. One should call upon Coleridge's suspension of disbelief while reading the description; or, in any case, keep a sense of humor close by.

> The machine consists of a moveable inclined plane affixed by means of chains to an upright shaft or axle, with which the whole revolves. On this inclined plane a carriage containing weights proportioned to the power required to be produced, is attached above by means of a cross-beam passing through the axle or shaft which is made to move. Therefore the carriage with the weight, obeying the law of gravity and endeavoring to descend, propels the inclined plane, which forces the shaft to revolve, the shaft forces the cross-beam, and the cross-beam again restores the carriage to its first place on the inclined plane, and in this manner the whole perpetually revolves.
>
> It will be immediately objected that the weight in the carriage is made to restore itself. It does so, and by an apparent absurdity, that is, by the operation of two unequal levers, consisting of the cross-beam, and the wheel on which the inclined plane rests. I call them *levers* because they act on the principle of the lever, though they are not palpably such. The principle then of all levers, is, that the power will be to the weight in the reciprocal ratio of their distances from the fulcrum.
>
> Now as the propelling power of this machine operates on a lever of about two feet, and the weight operates on a lever of only about one, it must be evident that twice as much force is exerted as is necessary, consequently a superfluous quantity of momentum is generated, which may be applied to any purpose almost within the circle of mechanics.

Arguments pro and con continued in the *Aurora*. On December 11, 1812, a letter from T. Matlack was published, including the following testimony of faith: "I think it due to him thus publicly to declare that I have, with the little ability I possess, most carefully, strictly, and even *severely* examined *every part of it* that can, with any face of reason, be pretended capable of any fraud or concealment whatever—and am *fully and perfectly* satisfied that it is a fair exhibition of a plain, practical application of the mechanical powers in a new mode, as I believe, first devised by himself."

Matlack adds a nice touch to the end of his letter: "It is, perhaps, proper, to add, that this certificate is thus exhibited without my having consulted him on the subject."

Matters now began to get out of hand. Westcott tell us that on November 26, 1812, City Councils passed a resolution and appointed a committee to find out if Redheffer's machine "might not be made capable of raising to sufficient height a sufficient quantity of water for the use of the citizens of Philadelphia." And on January 15, 1813, a committee was appointed by the House of Representatives of the State to find out if Redheffer had in fact discovered the secret of perpetual motion. He was supposed to meet with the committee on January 21. He did not, of course. His bid for immortality was, inevitably, coming to an end. As if seeking to be discovered as a fraud, Redheffer took his machine to New York, where Robert Fulton declared that it was a fake.

Assuming the above chronology to be correct, Redheffer's brief fame lasted about a year, or from early in the summer of 1812 until the early months of 1813. If the machine were proved a fake in 1813, though, then someone should have told George I. Henry of the matter. On June 30, 1814, an agreement was drawn up between Redheffer and Henry. Henry agreed to pay Redheffer $1,200 for a one-half interest in the "new Moddled Mechiene or the Exhibition thereof," for the term of two years. Henry was to

(Continued on page 61)

The Mifflin Mansion at the Falls of Schuylkill

By Edwin Iwanicki

THOMAS MIFFLIN, in 1778, was a patriot of no small renown in the nascent United States of America. Both as a statesman and as a military man, Mifflin had struggled in the service of the thirteen colonies, then warring for their right to "assume among the powers of the earth the separate and equal station to which the Laws of Nature and of Nature's God [entitled] them." Indeed, his career had already exhibited, to a notable degree, the qualities most admired in a Philadelphia gentleman, for he was not only wealthy, well-educated, and refined, but also vigorous, capable, and willing to render personal service in the support of public causes.

Born in Philadelphia in 1744, Thomas Mifflin studied at the College of Philadelphia (which later became the University of Pennsylvania), where he was graduated with the degree of A.B. in 1760, and where he later received the degree of A.M. After representing Philadelphia in the Provincial Council of Pennsylvania, he became a member of the Continental Congress, holding that position from 1774 until 1776, and taking an active part in prerevolutionary agitations.

Mifflin's military activities began in 1775, when he was appointed aide-de-camp to General Washington. Later in the same year, he became quartermaster-general of the Continental Army. In 1776, he covered the retreat of the Army in the evacuation of Brooklyn. That year Mifflin was appointed brigadier general, and the following year he was elevated to the rank of major general. In 1777 and 1778, he participated in the Conway cabal, an unsuccessful scheme to have General Washington replaced with General Gates as commander-in-chief of the Continental Army, upon the failure of which intrigue Mifflin repudiated his own part in it. In 1779, he resigned as major general, having already retired from the office of quartermaster-general.

Thus, in 1778, General Mifflin was about to return to the life of a civilian gentleman, and it was quite appropriate that he should, in that year, purchase land upon which to erect a fashionable countryseat. The site which he selected lay approximately five miles northwest of the city of Philadelphia, the northern boundary of which was then marked by Vine Street. The deed (dated August 19, 1778) by which the General acquired title to his country estate gives evidence of the fact that the land was not altogether unimproved prior to the advent of Mifflin, for the property is described as a "Messuage or Tenement and two Tracts Peices or Parcels of Land Situate in the Northern Liberties Township in the county of Philadelphia. . . ." The two tracts were separated by an unpaved thoroughfare then referred to as the Wissahiccon Road, a thoroughfare which later generations would come to know as Ridge Avenue. The smaller of the two tracts, containing three acres and forty-eight perches of land, occupied the narrow space between the Wissahiccon Road and the Schuylkill River, the road and the river being nearly parallel with each other in this vicinity. The other of the two tracts, containing eighteen acres and thirteen perches of land, lay on the opposite side of the Wissahiccon Road, the land rising from the road to form a magnificent dwelling-site upon the brow of a hill. In return for this real estate, Mifflin agreed to pay the proportionable part of the proprietary quitrent attributable thereto, as well as a yearly rent of sixty pounds, lawful money of Pennsylvania, payable to Sarah Lewis, the seller, during her lifetime.

Hard by the rural site acquired by Mifflin, the waters of the River Schuylkill were obstructed in their powerful flow by a rocky natural dam. The turbulent rushing and precipitous descent of water thus occasioned presented so striking a phenomenon that the village which sprang up nearby, on the eastern bank of the river, came inevitably to be called Falls of Schuylkill. (The falls have since disappeared, for, when the Fairmount Dam was constructed further down the river, in 1821, the water level of the Schuylkill was raised at this point, vitiating the tempestuous vigor of the falling water.) Charles Valerius Hagner (1796–1877), a prominent citizen of the Falls, gives this description of the rocky natural dam in his book *Early History of the Falls of Schuylkill, Manayunk, Schuylkill and Lehigh Navigation Companies, Fairmount Waterworks, Etc.* (1869):

> It [the rock] extended from the foot of the hill to about two-thirds the distance across the river, forming a complete natural dam, a part of it overhanging on the lower side. In high freshets the water flowed over it and made a beautiful cascade; at other times it forced the river into a narrow channel on the western side, through which it ran with great rapidity and much noise, falling some five or six feet in a distance of about one hundred and fifty yards, and could be heard at a distance of from one to five miles, according to the state of the river and the winds.

What a dramatically picturesque setting General Mifflin chose for his countryseat, where he could daily experience the rugged, primeval splendor . . .

> Of Schuylkill's thundering waters
> crashing down,
> Where scraggy hills re-echoed with
> the sound!

The Mifflin property was bounded, in part, by a quaint road, which, originating at the Wissahiccon Road near the falls, followed a tortuously steep and angular course as it clambered up the hillside in a northeasterly direction. Referred to in the deed of 1778 simply as "the road leading to Germantown," this thoroughfare has since come to be known as Indian Queen Lane. On the side of this crooked road opposite from Mifflin's property (and therefore slightly less distant from Philadelphia) was the countryseat of another distinguished gentleman,

Dr. William Smith, the first provost of the College of Philadelphia. That renowned academician had purchased land at the Falls as early as 1757, and by 1762 he had erected his dwelling on the brow of a hill, which, like Mifflin's hill, afforded an extensive view of the river valley and the exhilaratingly rugged terrain on all sides. With such an eminent Philadelphian as his neighbor, General Mifflin could hardly claim credit as a pioneer in his decision to establish a countryseat at the Falls of Schuylkill.

Between Smith's hill and Mifflin's hill lay a valley, through which purled a stream, emptying its waters into the Schuylkill River nearby. This creek, which has since been channeled underground with the advance of urbanization, came to be known as Mifflin Run. The street which replaced the stream years after the time of Thomas Mifflin, following a similar, though less sinuous, course through the valley, was given the name Mifflin Street, a name which was later changed to Midvale Avenue.

Thus, in the prosaic terms of modern street nomenclature, it might be said that the Mifflin mansion stood atop the hill just north of the well-known intersection of Ridge and Midvale Avenues. The imposing two-and-a-half-story dwelling was built of brown hewn stone. Its most prominent architectural embellishment, a two-story front veranda, supported by four tall columns and surmounted by a balustraded balcony, represented a later period of architectural design, in which the classic facade was much in vogue. In addition to the dwelling, the estate included the usual dependencies, or outbuildings, such as a barn, stables, carriage house, and icehouse, which were necessary for the proper servicing of a country estate.

Available tax-assessment ledgers for Northern Liberties Township West indicate that Mifflin's countryseat, consisting of "22 Acres & Dwelling," was assessed at values ranging between £700 and £1000 between the years 1783 and 1792. In 1795 and the following three years, the estate was listed as "21 Acres & Dwelling," the assessed value being £800 in 1795 and $2133 from 1796 through 1798.

The tax ledgers also provide some evidence of the accessories which embellished the country estate, and which were likewise assessed for taxing purposes. During the years mentioned above, Mifflin kept from one to three horses and from two to six cows, the former being assessed at about £11 or $25 each and the latter at about £3 or $8 each.

The Mifflin Mansion



When it came to transportation, the General traveled in style in his "Charriot" or his "Phaeton," which were assessed, respectively, at £50 and £25 in 1783, and at £30 and £20 in 1786. In 1792, the only vehicle listed was a "Riding Chair," having an assessed value of £5. The 1791 ledger mentions a "Coachee," valued at £25.

The assessment for 1783 indicates that 244 ounces of plate (valued at £97) added sparkle to the fashionable dwelling. The list of luxurious possessions is completed with one "Mullatto boy," or "Mullatto Servant," assessed at £15 and £30 in 1791 and 1792, respectively.

Dr. Charles Karsner Mills (1845–1931), an avid student of the history of East Falls, noted that "Mifflin resided at the Falls of Schuylkill during a period which it is difficult to fix with accuracy, but undoubtedly during the later years of the Revolution and down to shortly before his death in 1800." During these years Thomas Mifflin was much involved in political life. He was a member of the Continental Congress from 1782 until 1784, and its president in 1783. In 1787, he was a member of the Constitutional Convention and a signer of the United States Constitution. In 1790, he presided over the convention which drafted a new constitution for Pennsylvania. Mifflin was then elected the first governor of the state under the new constitution, and, being twice re-elected, he served as governor from 1790 until 1799. Until 1799, incidentally, the state government of Pennsylvania was located at Philadelphia. Of course, Governor Mifflin had a wide acquaintance among prominent contemporaries, and he was noted for his generous hospitality. Guests were entertained by Mifflin at his town house in Philadelphia, his farm near Reading, or his countryseat at the Falls of Schuylkill. Jacob Hiltzheimer, a close friend of the Governor, mentions in his diary numerous visits to Thomas Mifflin at the Falls estate. The company at this seat of hospitality might include such prominent citizens as Dr. William Smith, Robert Morris, Richard Peters, Tench Francis, and Mifflin's brother, George. It has even been said that George Washington was at times a visitor at the Mifflin mansion. The Governor is reputed to have treated his guests to shad dinners, and this seems not an unlikely thing for him to have done, as the Schuylkill River in this vicinity abounded with shad.

The merrymaking at Mifflin's mansion finally came to an end, however, for, as J. Bennett Nolan observes in his book *The Schuylkill* (1951), "the Governor was far too generous a host to have well-ordered finances." Probably the basic cause of Mifflin's pecuniary embarrassments lay not in the extravagance of his entertainments, but rather in his speculative involvements, for, as Dr. Mills states, Mifflin, like Provost Smith and many other well-known men of post-revolutionary

and earlier times, "seems . . . to have been more or less engaged in land speculation." In any case, the fact is that on August 12, 1799, "his Excellency Thomas Mifflin Esquire Governor of the Commonwealth of Pennsylvania" conveyed all of his real estate located in the County of Philadelphia, including the property at the Falls of Schuylkill, to three trustees, who were to sell the real estate as they thought proper and expedient, in order to pay off debts owed by Mifflin to the President, Directors, and Company of the Bank of Pennsylvania. The following year, Thomas Mifflin, having completed his three terms as Governor of Pennsylvania, and having lost most of his property, died at Lancaster, where he was attending the sessions of the state legislature.

In the same year of 1800, Charles Biddle, William Sansom, and Philip Nichlin, the trustees who had taken title to Mifflin's property the preceding year, sold the two tracts at the Falls of Schuylkill to Jacob Gerard Koch, a merchant, of the city of Philadelphia, for $10,000. In the deed, the premises are described as a "Mansion house, Messuage or Tenement and two Tracts pieces or parcels of Land Situate in the Northern Liberties Township in the County of Philadelphia. . . ."

In 1820, the same two tracts of land, with the "Mansion House Messuages or Tenements" thereon, were conveyed by Koch and his wife, Jane, then residents of Paris, France, to Mrs. Koch's brother, William Griffith, a house-carpenter, of Penn Township, Philadelphia County, in consideration of love and affection and the sum of one dollar. Griffith sold the property in 1828, thereby harvesting the sum of $14,000. The purchaser was William F. Fotterall, a Philadelphia merchant, who is listed in the Philadelphia directories of the 1840's and 1850's as a gentleman, residing at the northwest corner of Thirteenth and Chestnut Streets.

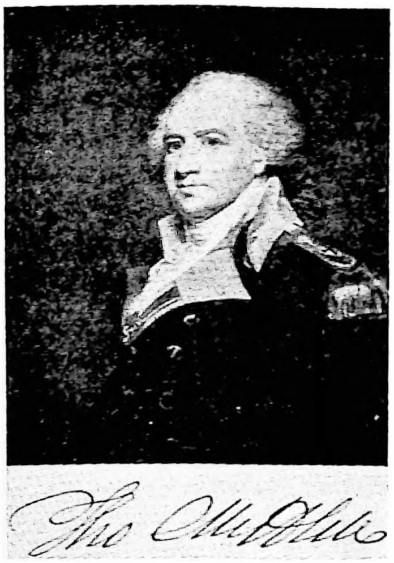
Fotterall sold the premises in 1831 to another Philadelphia merchant, Joseph O'Brien, who paid the price of $18,200. This new owner enjoyed the pleasant countryseat less than two years before he "experienced a sudden inroad on his health," which caused him to seek another climate. The estate, known as Fountain Green, was advertised for sale in the Philadelphia *Daily Chronicle* on June 15, 18, 22, 25, and 27 of 1833, the same advertisement appearing on each of those dates. This ad, which is replete with descriptive details concerning the extravagantly improved countryseat, is given in full below:

SPLENDID COUNTRY SEAT.
FOUNTAIN GREEN.

Will be sold at public sale, on Thursday, the 27th June, 1833, at 7½ o'clock in the evening, at the Merchant's Coffee House, in the city of Philadelphia.

The valuable and highly improved Estate, known as Fountain Green, formerly the residence of Governor Mifflin: lately the residence of William F. Fotteral, Esq., and now the residence of Joseph O'Brien, who having experienced a sudden inroad on his health, is advised by his Physicians to leave this country for another climate, and is therefore reluctantly compelled to offer it for sale.

It is situate 4½ miles from the city on high grounds on the



northerly side of the Ridge Road a short distance above the Schuylkill Falls, and commands views of the most picturesque scenery in the Union. It contains about eighteen acres thirteen perches of land in the highest state of cultivation, abounding with fruit and ornamental trees. The improvements are the splendid mansion, gardener's house, ice house, milk house, bath house for warm, cold, and shower bathing: barn, carriage house, and stables, with extensive granaries, &c. &c. all built of stone and brick. The mansion house is replete with every convenience, marble mantles, coal grates, (some of which cost a hundred and fifty dollars,) &c. &c. The present occupant has erected a furnace in the cellar which thoroughly warms the whole building; no dampness is visible in the walls at any time. No house in the city can be more comfortable, rendering it a delightful summer or winter residence. The water is introduced into the house and around the property from a dam of pure spring water, about three hundred yards in the rear of the dwelling; at least a thousand dollars have been expended in laying iron pipes. The water is soft and limpid and it is believed has an elevation, overtopping the mansion house. An abundant supply is furnished for the creation of fountains and fish ponds upon any part of the premises, which taste may dictate. It might also be used to great advantage for manufacturing purposes: particularly as a bleaching or print works.—There is now erected a well built stone dam of twenty feet in height:—the stream passes through the whole length of the property on which there are several beautiful cascades of different elevations. The Deer Park fronts on the Ridge Road, and is occupied by several of those noble animals. Its contiguity to the thriving village of Manayunk; and present great facilities of communication with the city: together with the proposed McAdamized Road now about being made on the west side of the Schuylkill as also the contemplated Rail Road from Manayunk which is expected to pass in front of this property render it one of the most desirable situations which can be offered to public attention. The property truly stands A No. 1, and it is impossible to describe all its advantages in an advertisement: the owner therefore invites gentlemen inclined to purchase to call and view the premises for themselves. The terms will be liberal and made known at the time of sale. A considerable part of the purchase money may remain, secured on the property if desired. Further information will be given at the premises; at the store of O'Brien, Dunbar & Co. No. 140 Market street, or of the auctioneer.

And also, at the same time, all that certain Stone Mansion House and Lot of Ground, situate immediately opposite the above, fronting the Schuylkill river; and the Ridge road, containing in all about three acres and forty-eight perches of Land. This property with its extensive front upon the the [*sic*] river must become extremely valuable as a landing. Its situation is well adapted for an extensive business, and the growing trade on the Schuylkill must make it every year more so. The contemplated Rail road from Manayunk must be of great advantage to this place, and render it a desirable location to a man of business. The house is built of the best materials, in the modern style, parlors communicate by sliding doors, &c. open Newell stairs with mahogany hand rail. There is a capital spring of water, over which is a Spring house near the kitchen door. The building of this house cost five thousand dollars. Terms, &c. at sale.

C. J. Wolbert, Auct'r.

The details mentioned in this advertisement are eloquent of good living. It is significant, for instance,

that "the present occupant has erected a furnace in the cellar which thoroughly warms the whole building." In the 1830's and 1840's furnaces were just beginning to supersede fireplaces as the means of heating homes; hence, Fountain Green provided quite an early example of this innovation. It is also notable that "water is introduced into the house" by means of iron pipes, thereby obviating the necessity of drawing water from an outside well.

The "Deer Park," "occupied by several of those noble animals," bears an unmistakable stamp of superfluous expenditure. Indeed, as a sign of conspicuous affluence, such a display upon one's front lawn must have been virtually without equal.

In terms of twentieth-century values it may seem a bit odd that "the contemplated Rail Road from Manayunk which is expected to pass in front of this property" is mentioned as one of the factors which rendered Fountain Green "one of the most desirable situations which can be offered to public attention." The fact is, however, that in 1833, when the railroad was still quite a novelty, it, like the deer park, was highly valued as an embellishment for one's country estate.

The purchasers of this extraordinary gem of real estate were two Philadelphia druggists, Algernon S. Roberts and Edward Roberts, who paid the relatively low price of $13,650. The Robertses, according to Dr. Mills, changed the name of the estate from "Fountain Green" to "Fountain Park." An article published in the Philadelphia *Public Ledger* (December 1, 1907) indicates that during the occupancy of the Robertses, the estate was famous for its deer park, which harbored a large herd of deer. The article goes on to say: "These fleet-footed creatures occasionally afforded great sport for the men and boys of the sparsely settled village by escaping from the park and taking to the woods. In one of these chases the deer, a noble-looking buck, ran along the river to near the Wissahickon, where it was captured by Michael Brehl, who claimed the distinction of having captured the last deer ever caught at the Falls of the Schuylkill." The article mentions also that Percival Roberts, son of Algernon Roberts, was born in the mansion at the Falls. Percival and his brother, Algernon, became the founders of the Pencoyd Iron Works in 1854.

The Mifflin mansion remained in the Roberts family until 1842, when it was sold to James S. Spencer, a Philadelphia gentleman, for $20,000. In 1844, Spencer sold the larger of the two tracts of which the estate was composed (that is, the tract containing eighteen acres and thirteen perches of land), with the "Mansion House and Messuages or Tenements" thereon, but he retained the smaller tract, which lay between the Schuylkill River and the Wissahiccon Road, where he had a hotel, known as the Fountain Park Hotel, which, like other tavern resorts at the Falls, was noted for its catfish and coffee and waffles. The purchaser of the mansion was Edward Dodge, of Philadelphia, a "Stock and Exchange Broker," who paid the price of $7,500. Spencer took care to include in the deed a provision whereby he retained the right to the use of water which flowed through pipes laid on the property which he was selling. The reservation read as follows:

> Excepting never the less and always Reserving out of this present grant unto the said James S. Spencer his heirs and assigns the free and uninterrupted use right liberty and privilege in common with the said Edward Dodge his heirs and assigns of the water as the same is now conducted to the premises adjoying [*sic*] the here by granted premises formerly belonging to Robert Fleming but now of the said James S. Spencer and to the premises now used and occupied as a Hotel and called Fountain Park Hotel on the southwesterly side of the Ridge Road also belonging to the said James S. Spencer by means of iron pipes he the said Edward Dodge his heirs and assigns at his or their own proper cost and expense keeping and maintaining the main pipes in good order and repair as far as the point where the connection is made of the pipes conducting the water to the said other premises of James S. Spencer.

Edward Dodge, in the spirit of a true speculator, sold the property less than one month after he had purchased it, thereby realizing a profit of $1,500. The purchaser, Andrew McMackin, was a Philadelphia publisher. Local tradition, as reported in an unidentified newspaper article, has it that hidden treasure was found on the property when interior repairs were being made for the new owner. A bricklayer, repairing a wall in the cellar, came upon a secret passage in which the remains of rich clothing, gold trimmings, etc., were found. It is believed that the workman found more valuables than he would acknowledge, as he afterward lived in affluence and was never known to work. In later years, it is said, a crock of Spanish doubloons was found buried in the lawn of the mansion. The explanation given for these extraordinary finds traces back to the year 1794, when, during one of Philadelphia's yellow-fever epidemics, the mansion is said to have been occupied by a Frenchman, named Boutillier, and his family. Despite their remoteness from the plague-ridden city, both Monsieur Boutillier and his wife died of the yellow fever, and their material wealth, which had been concealed on the premises, remained undiscovered for many years.

The *Public Ledger* article quoted above supplies the following data regarding McMackin's occupancy of the mansion: "He lived in a stately manner and frequently entertained large numbers of guests from the city. McMackin was a member of a body of men who were called 'a coterie of literary professors.' It included Morton McMichael [a prominent Philadelphia editor and mayor of the city from 1865 to 1868], Robert T. Conrad, who became the first Mayor of the city after its consolidation [1854 to 1856]; Major Freas, of Germantown, and Richard Penn Smith, who occupied the Smith homestead on the hill on the opposite side of Queen lane. The coterie would meet periodically alternately at the homes of the members, when there would be a flow of both wit and wine."

One of McMackin's colleagues in the publishing business, an editor of the New York *Mirror*, when entertained at Fountain Park in 1845, was so impressed with the estate that he wrote the following



Historical Society of Pennsylvania

The Mifflin Mansion, depicted from nature by E. Whitefield at the time it was the residence of "A. McMakin Esq."

letter, describing it at length:

Philadelphia, September, 1845.

"Dear General:

I have passed a night at 'FOUNTAIN PARK,' the beautiful country seat of a mutual friend of ours. My object in writing now is simply to catalogue the beauties of this enchanting spot, which, taking into view its location, natural advantages, and artificial improvements, is, perhaps, without a rival in the country.—The mansion was built, and the grounds originally laid out by Gov. MIFFLIN, the first chief magistrate of the then new state of Pennsylvania, and apparently without regard to expense or labor.

It is situated on the north side of the Wissahiccon or Ridge turnpike road, at the Falls of the Schuylkill, about four miles from Philadelphia, and is noted by every one approaching it from the city for its beautiful green sloping lawn, studded with iron and marble jets and fountains in constant play—its stocked deer park, marble statues, flower garden, gardener's cottage ornee, &c., &c.

The mansion is built of brown hewn stone, square in front, two and a half stories high, with semi-circular wings, and a portico along the entire front extending to the roof, supported by four massive fluted columns with a raised balcony on the top. The house is surrounded and delightfully shaded by towering sycamores, drooping willows, graceful pines, and fragrant magnolias. A carriage way encircles the mansion, branching off in various directions, embowered with vines, and cooled and refreshed by dripping fountains. The view from the road is greatly improved by the octagonal stone buildings which form the wings or outposts of the central building, and are used as ice-house, bath-house and hot-house, while the background of the picture is filled up with capacious and substantial barns, stables, coach houses, smoke-house, work-shop, &c. Although placed on a healthful eminence some forty feet above the level of the Schuylkill, it is surrounded by an amphitheatre of loftier hills, protecting it from the wintry winds, and in summer looking like a green curtain hung against the sky.

The grounds, which extend to some twenty acres, are remarkably diversified with orchard, meadow, upland, woodland, flower and vegetable gardens, &c., and on the northern extremity a never failing rivulet is formed into a couple of lakes, from one of which the summer stock of spring water Ice is gathered, while the other by means of pipes is conveyed to the mansion, stables, bath and green houses, garden, lawns, &c., where it is disembogued in half a score of hydrants and numerous fountains, whose ceaseless plashing imparts a soothing and delightful air to the place.

Among its most excellent features are the facilities of access to and from the city, the constant travel and life, and the unrivalled land and water scenery stretching around on all sides as far as the eye can see. Besides the Norristown and Philadelphia Rail Road,—which passes through the grounds an eighth of a mile in the rear of the mansion, conveying passengers to and fro every hour or two,—in front of the house at the foot of the lawn the Ridge Turnpike runs, on which omnibusses are constantly plying; parallel with this and some thirty yards further flows the lake-like Schuylkill, ever and anon rippled by the prow of the gliding skiff, or the measured dip of the bargeman's oar; on the opposite shore the busy canal of the Schuylkill Navigation Company, forms an interesting feature, rendered romantic by the oft re-echoing boatman's horn. Hence rises, more or less steeply, to an altitude of about three hundred feet, a range of verdant wood crowned cottage-dotted hills, at the river base of which winds a carriage road, and half way up, hewn out of the rocky cliff, runs the much renowned Reading Rail Road, which, while still in view, branches across the Schuylkill over a handsome viaduct, where the constant flashing locomotives are lost among the hills. It would do your eyes and heart good, too, to visit our friend and enjoy the beauties of his retreat.

Yours, &c."

McMackin retained the property until 1850, in which year he sold it to Amos Ellis, of the District of Spring Garden, brickmaker, who paid $5,000 for it, as well as assuming the responsibility for payment of certain mortgage debts amounting to $10,000.

Ellis divided the property, and, the following year, he sold the "Mansion House and Messuages or Tenements" and part of the eighteen acres and thirteen perches of land to John G. Michener, of the District of Kensington, attorney at law. In the deed by which this transaction was effected, the thoroughfare formerly called the Wissachiccon Road is referred to as the Ridge Turnpike Road. Still in the year 1851, Michener sold the premises to Samuel Winpenny, of the Falls of Schuylkill, manufacturer. Winpenny conveyed the property in 1853 to Thomas Simpson, a Philadelphia merchant. The following year Kenneth Jewell, a conveyancer, purchased Fountain Park and, two months later, sold the estate to a Philadelphia coal merchant, Charles Fernberg. It is interesting to note that, according to Dr. Mills, deer were kept in the park which surrounded the mansion as late as the year 1855.

The next transfer of title took place in 1856, when the premises were purchased by two Philadelphia brewers, Albert Schwarz and John George Bergdoll, who retained the property only until the following year, selling it then to Louis Bergdoll and Charles Psotta, who also lived in Philadelphia and worked at the brewery business. They are said to have started a brewery on the East Falls property by converting the large barn on the premises into a brew house and building vaults on the hillside fronting toward Mifflin Hollow, or Dutch Hollow, as the valley later occupied by Midvale Avenue was then called. *McElroy's Philadelphia Directory* indicates that during the 1850's Bergdoll and Psotta kept a tavern at 176 Vine Street, which address seems to have become 508 Vine Street when the house-numbering system was changed, probably in 1857.

In 1858, Bergdoll and Psotta conveyed the property at the Falls of Schuylkill to John Stein and Joseph Hildebrand, of Philadelphia, who also were partners in a brewery enterprise. Purchasing the estate for purposes of their business, the new owners operated a beer saloon in the mansion, as indicated by the following reference from *McElroy's Philadelphia Directory* for 1859: "Stein & Hildebrandt, (*John Stein, Jos. Hildebrandt,*) beer saloon, Ridge av ab Queen la (Falls Sch)." In 1860, they were listed as "lager beer brewers" at the Falls of Schuylkill. After the death of Hildebrand in 1861, his heirs conveyed to John Stein their interest in the property, which was still described as a "Mansion House and Messuages or Tenements and Lot . . . known as 'Fountain Park.' "

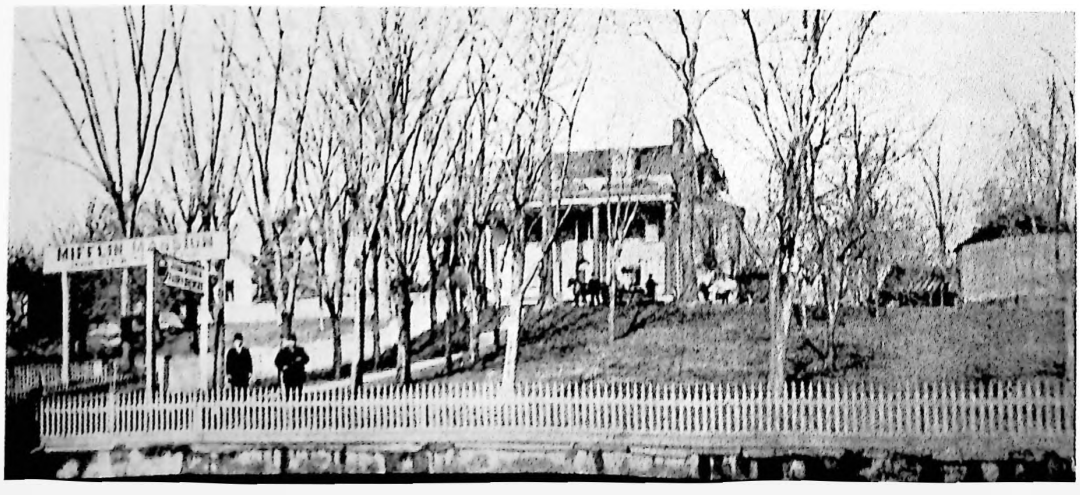
For many years, Stein operated a brewery and hotel on the premises. A photograph of the building taken during this period shows that the owner of the business was well aware of the publicity value associated with the name of the dwelling's original owner, for a large sign in front reads, "Mifflin Mansion, John Stein Proprietor." A smaller sign nearby reads, "John Stein's Park & Brewery." Dr. Mills assures us that the establishment was "a quiet, well-conducted resort, where Germans and others gathered for a friendly time."

He also notes that the building was "dignified and rather imposing," and that it was "surrounded by fine trees, conspicuous among which were elms, oaks and a great horse chestnut." Like many other old houses, the mansion, in its later years, was reputed to be haunted, a superstitition which, no doubt, added to the fascination of the venerable edifice.

In 1876, there was published a small volume entitled *The Schuylkill, A Centennial Poem*, the author of which is identified on the title page simply as "M. K. C." (Curiously enough, these initials, if placed in reverse order, would be those of Charles Karsner Mills, the renowned medical doctor whose extensive writings on the Falls of Schuylkill have been quoted in this paper.) One section of the poem is devoted to the Mifflin mansion. It highlights several phases of the building's history in rather colorful phrases, as follows:

> Above the highway rising bold,
> The pillared Mifflin house behold!
> Where once a score of fountains played,
> And acres spread of lordly shade;
> And deer forgot their woodland home,
> So wide their limits were to roam;
> Where men and dames of high degree
> Were often wont of old to be.

John Stein operated a brewery and beer saloon on the old Mifflin estate.





The Mifflin Mansion, with its hexagonal bays, is shown in this cut from George W. and Walter S. Bromley's Atlas of the City of Philadelphia as the property of John Stein, who was also the owner of nearby brewery buildings. By 1888 (the date of this atlas), city streets had already begun to encroach upon the Mifflin estate. The old mansion itself was hemmed in by Ridge Avenue, Mifflin Street (later Midvale Avenue), Frederick Street, and James (later Stanton) Street. A proposed extension of Coulter Street, indicated here by broken lines, was never carried through.

Once had this place for me weird charm,
Even though not free from some alarm.
Come shuddering now the stories told
Of ghostly figures strutting bold;
Of dark recess, and double floor,
And never-shutting chamber door;
Of noises strange, and flashing light,
Oft heard and seen at dead of night.
Alas! O age degenerate!
All that once fascinated here
Has yielded—ignominious fate!
Unto the reign of lager beer.

John Stein continued in possession of the premises until his death, which occurred in 1887. His heirs sold the East Falls lot, with the buildings and improvements thereon erected, to William F. Albrecht, a Philadelphia builder, in 1893. Dr. Mills mentions that the mansion was demolished that same year.

He goes on, in the following passage, to tell of some interesting structural features of the building which were uncovered during demolition: "When the mansion was torn down a hidden room was found between the first and second stories, and double partitions of such width as to allow of a passageway between the stories. On three sides of the hidden room were movable panels by way of which one could creep into the passage between the outer and the inner walls, which was about three feet wide communicating with the thick double walls of the first and second floors. It was said that one might leave this room through one of the panels, descend to the first floor through the wide partitions, and thence to the cellar, where a subterranean passage led to the stables and beyond for several hundred yards, ending in the rocky hollow at the foot of the hill."

The Mifflin estate had begun to be encroached upon by city streets years before 1893. G. M. Hopkins' *City Atlas of Philadelphia*, of 1875, shows the house hemmed in on the southwest by Ridge Avenue, on the southeast by Mifflin Street, on the northeast by Frederick Street, and on the northwest by James Street. (By 1910, James Street had been renamed Stanton Street, and Mifflin Street had become Midvale Avenue.)

Having purchased the Mifflin mansion in February of 1893, William F. Albrecht proceeded to clear the site for construction of row houses. By August of the same year, he had laid out and dedicated a thirty-foot-wide thoroughfare, to be known as Eveline Street, which extended from Ridge Avenue to Frederick Street, cutting through the very site where lately the mansion had stood. The land on either side of this new street was divided into house lots, and by 1896 Albrecht was selling these lots, upon which he had erected two-story brick houses.

CRIME IN THE "GOOD OLD DAYS" OF PHILADELPHIA *(Continued from page 47)*

The diseased were so numerous on the floors that the keepers had difficulty in avoiding treading on them as they performed their duties. The chief keeper, Joseph Kite, bewildered with fatigue and almost insane from the tragedy of it all, begged the city officials to release the prisoners. There was no objection to this except from the creditors who were responsible for the incarceration of the unfortunate persons who were indebted to them. On August 6 the prison was finally cleared. Most of the prisoners were released on their own recognizance, while the most dangerous of them were transferred to various watch-houses.[43]

We have not referred to the earlier yellow-fever plagues that stalked through the city, striking down honest citizen and criminal alike. These episodes are more familiar to present-day citizens than is the cholera plague in the Arch Street Prison. And, furthermore, few prisoners were stricken in the Walnut Street Jail in the awful plague of 1793, although the principal keeper, Elijah Weed, succumbed. He was succeeded by his wife, Mary, thereby establishing some sort of "first"—the first female prison administrator in this country![44] In the 1793 plague, only six inmates were stricken. The women prisoners donated their beds to the pest-house, which represents some kind of charity in reverse. In the 1798 plague, the board of the prison commandeered Robert Morris's unfinished home (Morris's Folly) for the safe-keeping of "the disorderly Vagrants and Servants who were likely to crowd the House and endanger the health of the Prisoners."[45]

To be continued in the next issue of the CRIER

NOTES

[1]*Statutes at Large*, Vol. II, pp. 8, 183; Vol. III, p. 202.
[2]*Colonial Records*, Vol. I, p. 527 (February 9, 1697/8).
[3]Lawrence H. Gipson, "The Criminal Codes of Pennsylvania," *Journal of the American Institute of Criminal Law and Criminology*, Vol. VI, No. 3 (1915), pp. 323–344, citation 330.
[4]*Colonial Records*, Vol. I, p. 380 (July 11, 1693).
[5]*Statutes at Large*, Vol. II, pp. 77–79. Also see Herbert W. K. Fitzroy, "Punishment of Crime in Pennsylvania," *The Pennsylvania Magazine of History and Biography*, Vol. LX (1936), pp. 242–269; see especially p. 254, note 47.
[6]Negley K. Teeters, "Public Executions in Pennsylvania, 1682–1834," *Journal*, Lancaster County Historical Society, Vol. 64, No. 2 (Spring, 1960), pp. 85–164 (at page 85).
[7]Fitzroy, *op. cit.*, p. 250.
[8]*Colonial Records*, Vol. I, pp. 94–96 (December 27, 1683).
[9]*Ibid.*, Vol. II, p. 20 (March 21, 1701). This and the preceding cases are discussed by John F. Watson in his *Annals of Philadelphia* . . . (Thomas edition, 1857), Vol. I, pp. 265–266.
[10]Raphael Semmes, *Crime and Punishment in Early Maryland* (Johns Hopkins Press, 1938), p. 168. In a forthcoming work by the writer in collaboration with Jack Hedblom, *The Hanging Tree*, a list of all persons hanged for witchcraft is submitted (Chapter III).
[11]Gipson, *loc. cit.*, p. 341.
[12]*Statutes at Large*, Vol. VII, pp. 91–92.
[13]For more information on this offense, see Teeters, "Public Executions in Pennsylvania, 1682–1834," *loc. cit.*, p. 109 f. Even those sentenced to death under common law were not executed, to the best of this writer's knowledge.
[14]*Journal of Prison Discipline and Philanthropy* (official publication of the Philadelphia Society for Alleviating the Miseries of Public Prisons, now known as the Pennsylvania Prison Society), October, 1859, p. 15.
[15]Harry Elmer Barnes, *The Evolution of Penology in Pennsylvania* (Bobbs-Merrill, 1927), pp. 37–38.
[16]*Statutes at Large*, Vol. III, pp. 99–214; see also, Barnes, *op. cit.*, p. 39.
[17]*Colonial Records*, Vol. I, pp. 227 (March 19, 1688), 252–253.
[18]*Ibid.*, Vol. I, pp. 379 (June 26, 1693), 382 (July 30, 1693), 442 (May 24, 1694).
[19]J. Smith Futhey and Gilbert Cope, *History of Chester County, Pennsylvania* (1881), p. 406; and *Colonial Records*, Vol. III, p. 41 (May 18, 1718).
[20]For the speech, see *American Weekly Mercury*, November 24, 1720; see also, Watson, *op. cit.*, Vol. I, p. 308; and *Colonial Records*, Vol. III, pp. 109–110 (November 5, 8, 1720).

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[21]Offenses listed in Barnes, *op. cit.*, pp. 39–48, as taken from Watson, *op. cit.*
[22]Watson, *op. cit.*, Vol. I, p. 309.
[23]William Webb, "Reminiscences of Old Walnut Street Prison," Philadelphia *Dispatch*, October 16, 1859, to February 5, 1860. Webb claimed to have been at one time a keeper in this famous old Bastille; however, the records of the Board of Inspectors do not list his name.
[24]*Pennsylvania Mercury and Universal Advertiser*, May 18, 1787 (p. 8, col. 4).
[25]Henry Melchior Muhlenberg, *Journal* (Philadelphia, 1958), Vol. II, pp. 89–90.
[26]Battin's story may be found in the *American Weekly Mercury*, August 16–23, 1722, and in *Colonial Records*, Vol. III, p. 193 (August 3, 1722); Burke's crime and fate are recorded in the *Pennsylvania Packet*, October 18, 1784. These two were the only seventeen-year-olds (with none younger) hanged in the colony or commonwealth, so far as our records indicate.
[27]From an article in the Philadelphia *Public Ledger*, July 29, 1878.
[28]See Negley K. Teeters, "The Early Years of the Philadelphia House of Refuge," *Pennsylvania History*, Vol. XXVII, No. 2 (April, 1960), pp. 165–187.
[29]Negley K. Teeters, *The Cradle of the Penitentiary* (Philadelphia: Pennsylvania Prison Society, 1955), pp. 144–145.
[30]Thorsten Sellin, "Philadelphia Prisons of the Eighteenth Century," *Historic Philadelphia* (Transactions of the American Philosophical Society, Vol. 43, Part I [1953]), pp. 326–330; also, Watson, *op. cit.*, Vol. I, p. 356 ff.
[31]Roberts Vaux, *Notices of the Original and Successive Efforts to Improve the Discipline of the Prison at Philadelphia* (Philadelphia: Kimber and Sharpless, 1826), p. 13 f.
[32]Samuel Rowland Fisher, *Journal of Samuel Rowland Fisher* (published privately by his great-granddaughter, Anna Wharton Morris, of Philadelphia, undated).
[33]Negley K. Teeters, *They Were in Prison* (history of the Pennsylvania Prison Society, 1787–1937; Winston, 1937). See especially Chapter I.
[34]J. Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609–1884* (Philadelphia, 1884), Vol. I, p. 305.
[35]The Society was actually formed to try to have an irritating law repealed. Passed on September 15, 1786, as a "reform" measure, the law provided for public punishments of prisoners on the city streets. The prisoners were engaged in digging sewers and cellars and were dressed in an outlandish garb of various colors and were known as "wheelbarrow men." Their work was degrading and humiliating, and they were the butt of ridicule of the rabble. Dr. Benjamin Rush denounced this practice as well as all other forms of public punishments. Despite its endorsement by no less a person than Chief Justice Thomas McKean, the law was repealed in 1790. For details, see Teeters, *They Were in Prison*, pp. 21–26.
[36]James Mease, M.D., *Picture of Philadelphia* (1811), p. 163.
[37]Quoted in Scharf and Westcott, *op. cit.*, Vol. III, p. 1829.
[38]Republished in 1964 by the University of Southern Illinois Press, edited by Herman Lantz, with an introduction by Thorsten Sellin.
[39]Captain Basil Hall, *Travels in North America* (Edinburgh, 1829), Vol. II, pp. 353–354.
[40]Recorded in the *Fifth Annual Report* of the Boston Prison Discipline Society (1830), p. 33.
[41]See Teeters, *The Cradle of the Penitentiary*, pp. 104–109, for more data on the Arch Street Prison.
[42]"Report of Committee to Investigate local causes of cholera in the Arch Street Prison, Mr. Gibbons, chairman" (February, 1833); see also, Scharf and Westcott, *op. cit.*, Vol. I, pp. 630–633.
[43]Teeters, *The Cradle of the Penitentiary*, p. 109.
[44]*Ibid.*, pp. 66–67.
[45]*Idem.*

THE PERPETUAL-MOTION CAPER

(*Continued from page 52*)

take the machine "through all the different parts of the United States of America." An interesting stipulation was included in the agreement: "the said Charles Redheffer reserves to himself the Exclusive Right of the Choise of one man for the special purpose of aiding and assisting the said George I. Henry in the whole of the aforesaid undertaking." Even if Henry did not know the machine was a fake, he should have been at least curious about that stipulation—unless, of course, he was in on the deception. In any case, on January 9, 1816, Redheffer was suing Henry for the redelivery of his machine.

Documents, unfortunately, do not always yield up what is in a man's mind. Redheffer may have been just a con man, although his permitting Duane to publish the unsigned letter suggests otherwise. His years of work on the elusive perpetual motion may have persuaded him that, even if he had not invented a successful machine, he should have invented it, and therefore a deception was justified. As Watson writes, Redheffer was surely a gambler; and, like most gamblers, in the end he lost. Watson also tells how, in fact, the machine worked: "It was at last found to be moved by a crank, which was wound perpetually, by a concealed little old man in an upper loft!"

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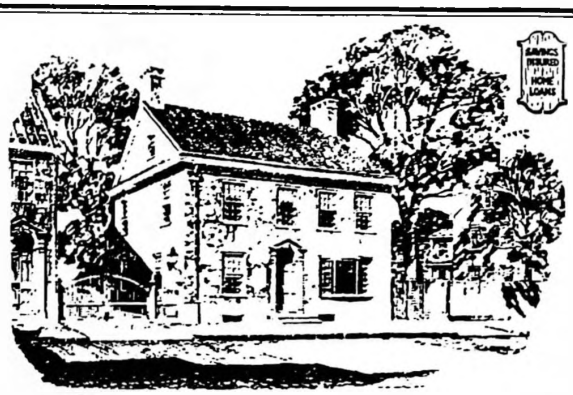
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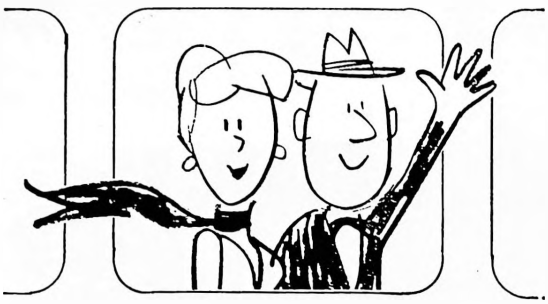
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