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ROGER B. TANEY AND THE TENETS OF DEMOCRACY *

By CARL BRENT SWISHER

For more than a century and a half the Unted States has been the proving ground for a great experiment in democracy. Long ago, indeed, we ceased to think of democracy as experimental as far as our country was concerned, for with us it had become a permanent form of government. Yet in a sense it has remained experimental down through the years, and must remain so as long as life within the country and our relations with other countries continue to change. Change has kept us continually in transition, continually reconceiving and reworking our political institutions, in order best to promote the welfare and protect the liberties of the people and maintain the essence of democracy. The effectiveness of our striving for the best that democracy can yield has been determined in part by the calibre of the rank and file of our people. It has also been determined in part by the qualities of imagination, the persuasiveness and tact, and the political skill of the men who in the several eras of American history have been our leaders. At a time when theories of democracy stand at bay in other sections of the world, there is value in examining the experiences of American democratic leaders of other times, to gain new perspective on struggles which without perspective may seem wholly new.

Prominent among the leaders of the internal battles for democracy being fought a century ago was a son of the Free State of Maryland, Roger Brooke Taney. The purpose of this discussion is not to praise the man and his work. He has been richly and justly praised by

* An address delivered before the Maryland Historical Society on February 13, 1939. The author is Thomas P. Stran Professor of Political Science at the Johns Hopkins University. The materials in his biography entitled *Roger B. Taney,* published in 1935 by the Macmillan Company, have been used freely for the purpose of this address.

others and by us [1] on other occasions. Neither is the purpose that of presenting the conventional facts of his biography, which have likewise been presented elsewhere. It is rather to show how at different periods in his life he participated in the struggles amid which the people worked out such democratic conditions as they were able to achieve. The first part of the account inevitably deals with Taney's experience as a Federalist in his early years, and with his gradual drift from Federalism into the ranks of the proponents of a broader democracy. Thereafter it deals with two great problems of the middle and later period of his life: first, problems of using corporations to promote the welfare of the people, without allowing them to dominate the democratic system; second, problems of harmonizing democracy with the existence of the institution of slavery. In the first he had a measure of success in his own time. In the second he met ultimate failure before the inexorable sweep of social change. But quite apart from success or failure, the details of his struggles have significance for us here, in making us more at home in a world where dynamic struggles over the workings of democracy still go on.

The life of Roger B. Taney began in 1777, in the midst of a revolution in which a nation struggled to be born. It ended in 1864, in the midst of another revolution in which that nation struggled not to die, and in which men on both sides gave their lives for principles they held dear. Taney's life span covered more than half the period of our independent existence as a nation. In addition to the struggles amid which it began and ended, it witnessed the experience of the United States in two other major wars. It witnessed other conflicts not military in nature but no less significant, as the growth of the country and the beginnings of industrialism and large-scale business enterprise taxed the flexibility and the effectiveness of democracy. Taney was in state or federal office intermittently, and was engaged in political activity almost continuously, from his election to the Maryland House of Delegates in 1799 until his appointment to the Supreme Court of the United States in 1837. He served as Chief Justice until the date of his death. The purpose of this account, as I have already indicated, is not to repeat the well-known story of his life, but to examine certain aspects of his political conduct and ideas, through years in which the tenets of democracy sought realization within the panorama of social and economic change.

[1] An earlier address dealing more generally with the life of Chief Justice Taney was delivered May 11, 1936, before a joint meeting of the Maryland Historical Society and the Bar Association of Baltimore City. It was published in the Baltimore *Daily Record*, May 12, 1936.

Roger Taney's democratic ideas were, for the most part, not inherited, or indoctrinated by early training, but were the product of his own thought and experience during his mature years. His father, Michael Taney, and other relatives, were no doubt in sympathy with the Revolution, but their participation seems to have been limited chiefly to local defense in southern Maryland. After the Revolution, no longer disfranchised because of his Catholic affiliation, Michael Taney served a number of terms in the Maryland legislature, opposing such measures as that modifying the aristocratic law of primogeniture which then prevailed in Maryland. He let it be known that, in spite of the legislative change, his own property would be disposed of in the traditional manner.[2] Along with the wealthier and more aristocratic citizens of the state, he aligned himself with the Federalist party.

In 1799 Michael Taney and his influential friends in Calvert County brought about the election of Roger Taney to the lower house of the Maryland General Assembly. The election was viva voce, at a mass assemblage at one central point, where a maximum of persuasion and pressure might be exerted on recalcitrant voters. Young Taney evidently saw nothing wrong with this procedure. As a member of the legislature he opposed measures to provide for the secret ballot and other reforms calculated to promote the independence of the voter. He was defeated for reelection at the ensuing term. In a campaign taking its tone from the struggle between the Federalists and the Jeffersonian Republicans he was derided and ridiculed by the Jefferson faction for being an aristocrat.

After moving to Frederick in 1801 and beginning the practice of law at that place, Taney quickly achieved prominence as one of the younger leaders of the Federalist party. He worked loyally with other leaders and his influence continued to grow, until the outbreak of the war of 1812. Then suddenly, for the period of the war, he and a substantial bloc of the party membership broke away from the dominant group in the party. The latter group, known colloquially as the "blue light" Federalists, bitterly resented the loss to American business resulting from the war, denounced the party in power in Washington, and clamored for the restoration of peace. The members of Taney's faction came to be known as Coodies, from Abimilech Coody, a quaint, fictitious character created by Gulian C. Verplanck of New York. Taney was often referred to as King Coody. The Coodies insisted that whatever the right and wrong of

[2] Roger B. Taney, "Early Life and Education," in Samuel Tyler, *Memoir of Roger Brooke Taney*, p. 34.

the war issues, the country was in the war, and must forget internal strife and defend itself.[3]

Taney was much concerned about public apathy toward the war, in Maryland and elsewhere. "The two great parties who divide the country," he wrote to General William H. Winder in August, 1814, "are too busy quarreling with one another and preparing for the ensuing elections to bestow much thought on defending the country against the common enemy. Scarcely any one marches willingly, or encourages others to march, and this state of public feeling is likely to be continued, unless some measures shall be taken to rouse the people, and animate them with the spirit of resistance. If those who are in authority at Washington, will give themselves a little trouble they might easily make their political friends ashamed of abandoning them in the midst of the perils, into which they have encouraged them to go." [4]

The breach within the Federalist party was partly healed after the end of the war, and during the period of the survival of the party Taney remained one of the most influential members. His temporary break with the conservative party leaders is not proof of the development of democratic ideas. It is significant, however, in showing Taney at a stage in his intellectual development where he insisted on thinking and acting for himself, whatever the policies and program of his party. By 1821, at the time of the expiration of Taney's five year term in the Maryland Senate, the Federalist party was well on its way to dissolution, and its former members were seeking new alignments. In the process of adjustment, further opportunity was given for the working out of individual beliefs, without dictation from any political group.

Early evidence of the development of democratic sentiments, and of an inclination to align himself with democratic groups, is found in a letter written to a friend early in 1824, a year after Taney moved to Baltimore. He was convinced that the members of the old Federalist party could not unite in support of any one man for the presidency. Each would choose for himself. Of all the prominent candidates he predicted that John Quincy Adams and Andrew Jackson would be the principal contenders, but he thought that neither had enough strength to be chosen outright, and that the election would go to Congress. As for himself, he was "a good deal inclined to go with the rest for Old Hickory."

[3] Swisher, *Roger B. Taney,* Chapter IV.

[4] *Ibid.*, p. 66. Dated August 4, 1814. Copied from the Force transcripts in the Library of Congress, from the William H. Winder Papers.

He explained his attitude in the following significant language: "Jackson is not indeed the man I would name for President, if it rested with me to choose from the whole United States. But compared with his competitors he stands on strong grounds. He is honest, he is independent, is not brought forward by any particular class of politicians, or any sectional interest. He is not one of the Secretaries. He is taken up spontaneously by the people, and if he is elected will owe obligations to no particular persons. It is a way in which a President ought to come in, for he is then unfettered by secret promises and may act independently. I am sick of all Secretary candidates, and would be glad to see it understood that a man might be elected without the patronage of the President for the time being, or the power of members of Congress, or a combination of mercenary presses or local interests." [5]

These sentiments, hostile to dictated nominations and hierarchies of succession to the presidency, suggested a new Taney in sharp contrast with the boy who had complacently accepted election to office as a result of the influence, and probably the coercive activities, of his father and other landed proprietors of southern Maryland. The inclination in the direction of Jackson was the forerunner of a close alignment with the hero of the battle of New Orleans, and of full commitment to the principles of Jacksonian democracy. Taney, in the capacity of a private citizen, supported Jackson in 1824, and in 1828 he supported him as chairman of the Central Committee of the Jackson Party in Maryland. In 1831 he resigned the position of attorney general of Maryland and accepted that of Attorney General of the United States under Jackson. From September, 1833, to June, 1834, he served as Secretary of the Treasury on an interim appointment. Confirmation was denied by the Senate because of his part in the monetary policies of the Jackson administration. Confirmation as Associate Justice of the Supreme Court was withheld in 1835 for the same reason. Confirmation as the successor to Chief Justice John Marshall was made possible in 1837 by previous changes in Senate personnel. During these middle years it was for his democracy, for his insistence on the right of self rule by the people, and for his opposition to oligarchies whether political or economic, and not for anything resembling his earlier Federalism, that he was praised by his friends and assailed by his political enemies. [6]

[5] Taney to William M. Beall, April 13, 1824. The letter is in the possession of Miss Nannie Floyd, of Frederick, Maryland.

[6] For a detailed account of these political struggles see Swisher, *Roger B. Taney*, Chapters VII to XVI.

In the analysis of Taney's conceptions of democracy it is well to call to mind one of the conditions essential to the survival of democracy. That condition is the existence of a spirit of enterprise on the part of the people, a spirit of adventure, a mixture of calculation, faith and daring, in effort to improve the conditions of living, both economic and otherwise. That spirit must be restrained by government and kept within bounds, but it survives by virtue of its own virility, and not by virtue of governmental encouragement or support. Without such a spirit there can be no democratic society, and no democratic government. There can be only dictatorship or chaos. The American nation in the time of Taney and Jackson was filled with the zest of youth. The achievement of great things needed only the preservation of order. The preservation of order was the task of government. It was almost the sole task. A few social services were left to it, and a few tasks thought too great for private enterprise.

Taney was an admirer of enterprise and an enthusiast for projects which promoted the economic welfare of the people. In the legislative year 1799-1800, in the Maryland House of Delegates, he supported the building of the Chespeake and Delaware Canal, then no simple task, to add to the trading area of the farmers of tidewater Maryland.[7] At a time when banks were virtually new institutions in the country he aided in the establishment and operation of local banks for the use of the people of central and western Maryland. As a state senator he supported measures to curb abuses in the field of banking, just as he supported measures for the preservation of order in other fields, but he regarded such action only as clearing the way for legitimate operations. In the early years he evidently thought the establishment of the Bank of the United States a laudable project, in spite of or because of its restraining influence on state banks. At any rate he opposed the enactment of the Maryland measure for taxing the Bank which resulted in the celebrated case of McCulloch v. Maryland.[8] It was only after the revelation of gross abuses on the part of the Bank of the United States that he became hostile to it.

The subject of public improvements, including at first roads and canals, and, at a later date, railroads, was of deep interest to Taney. He and his brother, Augustus, and his brother-in-law, Francis Scott

[7] For source materials on these and other activities see *Votes and Proceedings of the Maryland House of Delegates* for 1799.

[8] 4 Wheaton 316. For Taney's early experience with state banks see Swisher, *Roger B. Taney*, pp. 83 ff.

Key, attended many internal improvement conventions, and led or joined in discussions of methods and finances. Taney strongly urged the building of a canal to connect the Potomac River with the West. In the discussions of the 1820's he thought the task too great for a private corporation in terms of the experience of the times, however, and recommended that it be done by the federal government or by that government in cooperation with the governments of Maryland and Virginia. When the building of the Baltimore and Ohio Railroad into the same area was later begun, he transferred his enthusiasm to the more modern project, and his services to the company carrying it on.[9]

In 1837, in his opinion in the Charles River Bridge case,[10] Chief Justice Taney revealed the same deep interest in the field of American enterprise. He denied the contention that the rights of corporations should be construed broadly, with the effect of blocking the achievements of later years. "If this court should establish the principles now contended for," he said, "what is to become of the numerous railroads established on the same line of travel with turnpike companies; and which have rendered the franchises of the turnpike companies of no value? Let it once be understood that such charters carry with them these implied contracts, and give this unknown and undefined property in a line of traveling, and you will soon find the old turnpike corporations awakening from their sleep, and calling upon this court to put down the improvements which have taken place. The millions of property which have been invested in railroads and canals, upon lines of travel which had been before occupied by turnpike corporations, will be put in jeopardy. We shall be thrown back to the improvements of the last century, and obliged to stand still until the claims of the old turnpike corporations shall be satisfied, and they shall consent to permit these States to avail themselves of the lights of modern science, and to partake of the benefit of those improvements which are now adding to the wealth and prosperity, and the convenience and comfort, of every other part of the civilized world." [11]

Elsewhere in the same opinion he declared that "The object and end of all government is to promote the happiness and prosperity of the community by which it is established; and it can never be assumed, that the government intended to diminish its power of accomplishing the end for which it was created. And in a country like ours, free,

[9] *Ibid.*, pp. 115-117.
[10] *Charles River Bridge* v. *Warren Bridge*, 11 Peters 420.
[11] *Ibid.*, pp. 552-553.

active, and enterprising, continually advancing in numbers and wealth; new channels of communication are daily found necessary, both for travel and trade; and are essential to the comfort, convenience, and prosperity of the people." [12]

But if an enterprising people was necessary to the success of democratic government, it was also necessary that the people recognize their long range interests, and have the courage to fight for them. Taney deplored the timidity of those business men who cringed before the coercive activities of the Bank of the United States, and who urged the restoration of government deposits to it by way of " appeasement." " Peace in our time " is not a new conception. Those acquainted with the events of Taney's struggle with the Bank will remember that that powerful financial institution involved itself heavily in the presidential campaign of 1832, and used its influence over currency and credit for definitely political purposes. Taney and Jackson were convinced that the renewal of the charter of the Bank, which was to expire in 1836, would invite a menace to all state banks, to the government, and to the community at large. Accordingly, in 1833, they made plans gradually to weaken the political influence of the bank by ceasing to use it as a depository of government funds. The Bank retaliated by an unnecessarily rapid contraction of its loans, conducting its operations in such a way as to create widespread financial distress.

Taney was not blind to the predicament of the state banks and the business men who were entrapped by the machinations of the Bank of the United States, but he believed that surrender to the Bank, even though it might bring temporary relief from oppression, would leave both the government and the people at its mercy. In the following language he recounted in part a conversation which he held with a group of Baltimore friends concerning what he regarded as the somewhat disreputable part played by some citizens of Baltimore in the struggle with the Bank:

" That the merchants themselves had, by their own conduct, and meetings, and resolutions, and deputations to Washington, contributed greatly to increase the excitement and alarm, and by that means disabled the state banks from loaning as freely as they would otherwise have done—that if the mercantile community of a commercial city chose to proclaim itself on the eve of bankruptcy, everybody would naturally believe them, and be unwilling to trust them, and that embarassment and distress would unavoidably follow the destruction of credit.

[12] *Ibid.*, p. 547.

"That if they expected to drive the administration from its course by such measures they were mistaken, that the government was not responsible for evils which merchants, or any other class of individuals voluntarily brought on themselves for political party purposes; and it could not be expected to change its course on that account. And if by persisting in fostering the alarm they had excited, and increasing the panic, they should produce the general ruin which they said was about to fall on the city, it would not change the measures of the administration—that the evil would be the work of their own hands for which the government was in no degree responsible; that it was in their power to produce or avert it, and they could not justly charge, upon the government, the evils which they themselves should voluntarily occasion." [13]

It should be remembered that Taney was not originally hostile to the Bank of the United States. His hostility grew out of its abuse of its powers. It acted at times ruthlessly, and without reference to the public good. It came near to challenging the powers of the federal government by which it was created. Its existence became a threat to the successful operation of democratic government.[14] The struggle gave rise to his concern about the influence of moneyed interests over the people and their government. It enhanced his watchfulness of all groups, whether propertied, class or sectional, which might turn the government to the use of some for the oppression or others.

Taney's experience with the Bank of the United States naturally provoked reflection on the rights and duties of corporations in a democratic system. Corporations were being created in great numbers by legislatures throughout the country. They were necessary to the promotion of business and industrial enterprise. Yet if they became too powerful they constituted a possible threat to the liberties of the people and the independence of government itself. Taney never worked out a complete plan for the solution of the problem. As a member of the Supreme Court he dealt with a significant aspect of the subject in the case of Bank of Augusta v. Earle,[15] decided in 1839. The court was faced with the argument, on the one hand, that a corporation of one state could do business wherever it desired in any of the states, without reference to the desires of the states to which it might migrate. The opposing argument was that a corporation had no existence outside the state by which it was created, and therefore could not do business beyond its borders. The first

[13] Taney to Upton S. Heath, March 10, 1834, published in *Niles' Weekly Register*, March 22, 1834.

[14] See Swisher, *Roger B. Taney*, Chapters IX to XVII.

[15] 13 Peters 519.

interpretation would have allowed corporations to roam and do business without adequate governmental restraint. The second would have hampered them so much as to constitute a serious impediment to business. For the opinion of the court Chief Justice Taney chose a middle ground, holding that corporations might do business in other states through their agents, but subject only to the consent of the other states. The right of corporations to do business where they would in the United States was in this manner virtually assured, with the reservation that they must conform to such constitutional conditions as were prescribed by the states into which they moved. Taney's opinion has always been regarded as a fine example of judicial statesmanship.

He had no cure for the evils resulting from broad grants of corporate power by ignorant or careless legislatures. He insisted that corporate rights must be narrowly construed, conveying nothing not clearly conveyed by the language of the grant; but if the rights were clearly given, he took the position that it was not within the power of the Supreme Court to relieve the states from the obligations created by their representatives.

Taney had a conception of the duties of corporations to society which has unfortunately tended to disappear in later years. The conception doubtless developed in part from the fact that many of the early corporations owed not merely their existence, but certain monopoly rights as well, to the states which created them. In 1832, as Attorney General of the United States, Taney discussed as follows a corporation chartered by the legislature of Virginia to build and operate a toll bridge:

"An act of incorporation of this description can never be considered as having been granted for the exclusive benefit of the corporators. Certain privileges are given to them, in order to obtain a public convenience; and the interest of the public must, I presume, always be regarded as the main object of every charter for a toll-bridge or a turnpike road. The exclusive privileges are not given to the corporators merely for individual emolument, or from favoritism, but are granted as a compensation for the public convenience derived, or expected to be derived, from the work done by them, and are offered in the charter as inducements to individuals to undertake it. And this must especially be the case in a charter like this, where the power of the eminent domain is exercised in taking the property of individuals without their consent, in order to make the contemplated work." [16]

[16] *Norfolk Drawbridge Company and the United States,* May 16, 1832, 2 Official Opinions of the Attorney General 512.

Taney carried the idea further in 1836, after the date of his confirmation as Chief Justice, in analyzing for President Jackson a bill to recharter the banks of the District of Columbia. "Every charter granted by a state or by the United States," he wrote, "to a bank or to any other company for the purposes of trade or manufacture, is a grant of peculiar privileges, and gives to the individuals who compose the corporation, rights and privileges which are not possessed by other members of the community. It would be against the spirit of our free institutions, by which equal rights are intended to be secured to all, to grant peculiar franchises and privileges to a body of individuals merely for the purpose of enabling them more conveniently and effectually to advance their own private interests. No charter could rightfully be granted on that ground. The considerations upon which alone, such peculiar privileges can be granted is the expectation and prospect of promoting thereby some public interest, and it follows from these principles that in every case where it is proposed to grant or to renew a charter the interests or wishes of the individuals who desire to be incorporated, ought not to influence the decision of the government. The only inquiry which the constituted authorities can properly make on such an application, is whether the charter applied for, is likely to produce any real benefit to the community, and whether the benefit is sufficient to justify the grant." [17]

Taney's conception of public benefit as the basis for granting corporate charters has not been generally adhered to, and has often been forgotten although the requirement of certificates of public convenience and necessity limits the activities of corporations in public utility fields. It would be administratively difficult to place emphasis upon Taney's conception in a system of granting charters pursuant not to specific enactments but to general laws. Yet, in summary on this point, for maintaining the control of the people over agencies created by their government, something has been lost by our forgetfulness that a corporation owes an obligation to society in return for the right of existence given to it by government.

Taney's conception of democracy in the United States, when fully worked out, stopped short of including people of the colored race. He concerned himself with the welfare of individual Negroes. He liberated his own slaves and continued to look after their welfare.

[17] The manuscript from which this paragraph is quoted is in the Jackson Papers in the Library of Congress, filed with materials of June 20, 1836. It is in Taney's handwriting. It is unsigned, except that his initials are appended to a memorandum which he wrote on the back. Its only date is a date in pencil written by another hand, but from the context it seems to be approximately correct.

He supported legislation for the protection of free Negroes. In an argument in court delivered in 1819 Taney declared that until the institution of slavery was wiped away, "until the time shall come when we can point without a blush, to the language held in the Declaration of Independence, every friend of humanity will seek to lighten the galling chain of slavery, and better, to the utmost of his power, the wretched condition of the slave." [18] In 1832, however, in a supplement to an opinion as Attorney General prepared for the Secretary of State, he took a different view of the implications of the Declaration of Independence:

"Our Declaration of Independence we know was drawn by a distinguished citizen of a slave holding state. And when it was asserted in that instrument 'that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed;—no one ever supposed that the African race in this country were entitled to the benefit of this declaration, nor did any one imagine that they had a right to claim the extension of that great principle to themeslves." [19]

In the body of the opinion Taney set forth the argument concerning the citizenship rights of Negroes which won him bitter notoriety when reexpressed twenty-five years later in the Dred Scott case: "The African race in the United States even when free, are every where a degraded class, and exercise no political influence. The privileges they are allowed to enjoy, are accorded to them as a matter of kindness and benevolence rather than of right. They are the only class of persons who can be held as mere property, as slaves. And where they are nominally admitted by law to the privileges of citizenship, they have no effectual power to defend them, and are permitted to be citizens by the sufferance of the white population and hold whatever rights they enjoy at their mercy. They were never regarded as a constituent portion of the sovereignty of any state. But as a separate and degraded people to whom the sovereignty of each state might accord or withhold such privileges as they deemed proper. They were not looked upon as citizens by the contracting parties who formed the Constitution. They were evidently not sup-

[18] See David Martin, *Trial of the Rev. Jacob Gruber, Minister in the Methodist Episcopal Church, at the March Term, 1819, in the Frederick County Court, for a Misdemeanor*, 1819, pp. 42-44.

[19] From a copy filed with a letter from Taney to Secretary of State Edward Livingston, June 9, 1832, in Miscellaneous Letters of the Department of State which have recently been transferred to the custody of the National Archives.

posed to be included by the term *citizens.* And were not intended to be embraced in any of the provisions of that Constitution but those which point to them in terms not to be mistaken." [20]

Taney's conception of the place of the Negro in society, like his attitude toward the Bank of the United States, had much to do with the shaping of his ideas as to governmental powers. As Attorney General he questioned the power of the federal government to make treaties in conflict with state laws dealing with Negroes coming from other countries.[21] He was convinced that " the power to guard themselves on this point is reserved to the states and cannot therefore be contested by the treaty making power conferred on the general government."

He admitted the probability, however, in the Attorney General opinion from which the above excerpts are taken, that the Supreme Court would decide otherwise if a case came before it. " Indeed," he said, " judging from the past I think it highly probably that the court will declare the law of South Carolina null and void if contrary to the stipulations in the treaty whenever the question comes before it." It is interesting that he did not recommend that the Executive adopt in advance the construction he expected the Supreme Court to give. He questioned, indeed, the binding quality of Supreme Court decisions as limitations on future conduct, except with respect to the parties involved in particular cases. " I am not prepared," he said, " to admit that a construction given to the Constitution by the Supreme Court in deciding any one or more cases fixes of itself irrevocably and permanently its construction in that particular and binds the states and the legislative and executive branches of the general government, forever afterward to conform to it and adopt it in every other case as the true reading of the instrument although all of them may unite in believing it to be erroneous. If the judgment pronounced by the court be conclusive it does not follow that the reasoning or principles which it announces in coming to its conclusions are equally binding and obligatory."

This opinion, heretical at a number of points, was not published with other opinions of Attorneys General, and therefore did not

[20] The manuscript containing the text of the main body of the opinion was found in the Attorney General Papers of the period, which have recently been transferred to the custody of the National Archives. The opinion, dated May 28, 1832, has to do with a South Carolina statute relative to free people of color coming into the state on merchant vessels. It is a highly significant historical document, and is eminently worthy of publication.

[21] In addition to the manuscript opinion from which the quotations are taken see also *Slaves on British Vessels Trading to the United States,* December 6, 1831, 2 Official Opinions of the Attorneys General 475.

constitute an embarrassment to the author after he became Chief Justice of the Supreme Court. Although to lawyers and students of government every paragraph is a matter of interest, its importance lies not so much in its details, as in the revelation of efforts to adapt political ideas to the problems of national life. His conception of democracy did not demand the granting of political rights to Negroes. On the other hand, it did demand the preservation of the individual sections of the country, in the sense that none was to have its institutions dominated and fundamentally changed by others. The prospect was growing steadily that the federal government would become the instrument of northern people for coercing southern institutions into harmony with their own. Rather than see the South dominated in this fashion Taney seems to have preferred secession and the establishment of an independent democracy in the South. He had little hope, however, for the success of such a project. Something of his attitude can be found in a letter to his son-in-law in 1856 concerning the approaching presidential election:

"As far as the South is concerned, I think it matters very little, if Buchanan is defeated, whether Fremont or Fillmore is chosen. But there will be no dissolution of the Union in either event. The Constitution will undoubtedly be trampled under foot, and the Union will be one of power and weakness, like the union of England and Ireland, or Russia and Poland. But how can the southern states divide, with any hope of success, when in almost every one of them there is a strong and powerful party, acting in concert with the northern Know Nothings, and willing to hold power from the North, if they may be enabled thereby, to obtain the honors and offices of the general government, and domineer in their own states. . . . The South is doomed to sink to a state of inferiority, and the power of the North will be exercised to gratify their cupidity and their evil passions, without the slightest regard to the principles of the Constitution. There are many bold and brave men at the South who have no vassal feeling to the North. And they will probably stand to their arms if Fremont is elected, or further aggressions made under Fillmore. But what can they do, with a powerful enemy in their midst? I grieve over this condition of things, but it is my deliberate opinion that the South is doomed, and that nothing but a firm united action, nearly unanimous in every state, can check northern insult and northern aggression. But it seems this cannot be." [22]

[22] Taney to J. Mason Campbell, October 2, 1856, a manuscript letter in the possession of the author.

As this letter demonstrates, it was upon the shoals of sectionalism that Taney's statesmanship went aground. He was of course justified in dreading the oppression of one section of the country by another, the oppression of people of one way of thinking by people of other modes of thought. He may have been right in his prediction that the South was doomed. Certainly the effects of the sectional war can be regarded only as catastrophic for the South. Certainly no contrary conclusion is to be derived from the recent remark of President Roosevelt that the South is the nation's Number One economic problem.[23] Unfortunately, we seek in vain among Taney's papers, for suggestions as to how catastrophe might be averted, people and sectional differences being what they were. In the Dred Scott case [24] he tried by constitutional interpretation to curb the powers of the federal government, and succeeded only in fanning the flames of hatred. In the Booth cases [25] he presented a superb discussion of state-federal relations, but amid the heated emotions of conflict it was then too late for such discussions to have any appreciable effect.

To those in no way connected with the conflict it may seem that Taney should have taken a more Olympian view of the course of events. He should have recognized the fact that with the thickening of the population, the development of industries, the building of railroads and the improvement of transportation and communication generally, and the increased dependence of man upon men, the country, in spite of territorial expansion, was in effect growing smaller. More fields of activity were yielding to centralized control by government. The reaching out of the federal government to touch local institutions was inevitable. He professed a belief in democracy, which implied government by the majority and obedience by the minority. Taney was too intimately involved in the struggle, however, to take an Olympian view. He was in no position to work out from trends and principles a solution for the problems of sectional conflict. Perhaps too much in the way of constructive statesmanship ought not to be expected of a man well beyond the milestone of three score years and ten. We can only regret that in the field of statecraft he and others with him, both north and south, failed to demonstrate that ingenuity and inventiveness which among statesmen as well as in the fields of business, industry and agriculture is a prerequisite to the functioning of democracy.

[23] See National Emergency Council, *Report on Economic Conditions of the South,* 1938, p. 1.

[24] *Dred Scott* v. *Sandford,* 19 Howard 393. [25] *Ableman* v. *Booth,* 21 Howard 506.

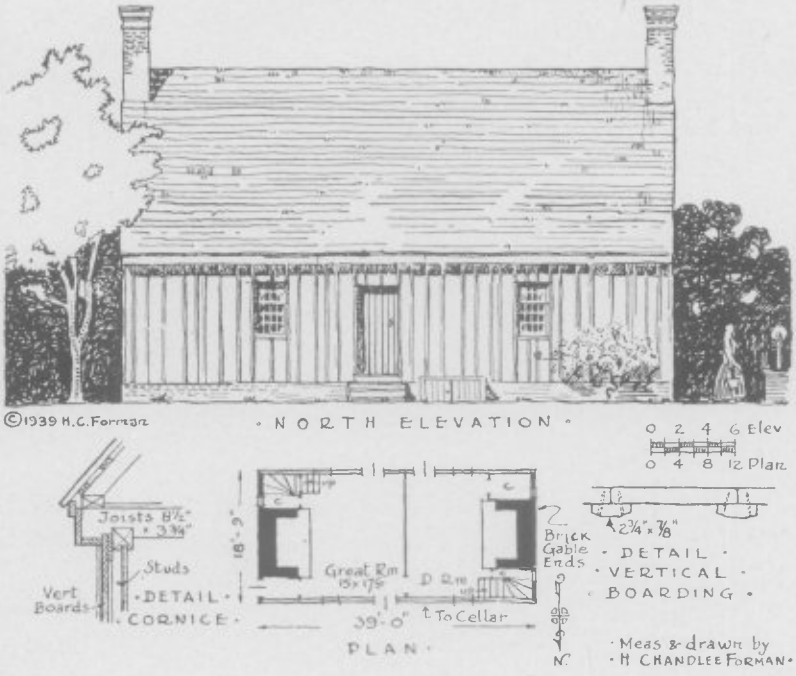
A brief account like this hardly admits of a summary. Yet certain things may perhaps be said for the sake of emphasis. To take points in reverse order: First, Taney's conception of democracy, limited by racial barriers, provided no solution for the sectional crisis. His thinking was not more barren than that of other leaders, but the situation proved too complex for the minds of men to solve.

Second, apart from the colored race, Taney accepted democracy as the ideal form of government to impose such restraints on the people as were necessary in the interest of all. He thought of the welfare of the people as promoted chiefly by the courage and industry and ingenuity of individual men, and not by governmental paternalism. He regarded the corporation as a necessary device for the promotion of business and industry, but he saw the danger inherent in aggregations of wealth, and sought to develop legal principles to keep them within bounds. In seeking to keep corporations well under control and prevent their predatory encroachment on individual and small-scale enterprise he was working counter to the trends of the times. The nation owes him gratitude for the legal principles he was able to entrench, and for his efforts in behalf of others.

Some of the most difficult problems of democracy in the United States today arise from the fact that so much enterprise is in the hands of huge, impersonal corporations, managed without reference to careful plans for the public welfare.[26] Taney's struggle with the Bank of the United States has parallels for today, save that we must usually live with and attempt to govern these great economic units, rather than destroy them. One of the dangers is that we may not be able to exert the needed restraint. Another is that the people, habituated to service as cogs in corporate machines, may lose the enterprising character which during Taney's life made democracy possible. A further danger is that corporations, having succeeded to power, may themselves become stultified, leaving to government alone the task of positive leadership in enterprise.

Third and finally, Taney's conceptions of democracy were the product of his own thought and experience. In a world of change such as ours, government adapted to the needs of the people can never be the product of dogma and tradition alone. It must be reshaped and remolded to the needs of the times. In no respect does Taney prove more worthy of praise and emulation than in his willingness and ability to accept political change as thought and experience marked out his course.

[26] See Adolf B. Berle, Jr., and Gardiner C. Means, *The Modern Corporation and Private Property*, 1933.



"THE ENDING OF CONTROVERSIE"

Top: All that remains of the seventeenth century house closely identified with Wenlocke Christison. Here the first Friends' meeting in Maryland, of which there is any record, was held in 1676.

Bottom: Plan and elevation, showing brick gable-ends, and the vertical planks in the Anglo-Saxon manner of "palisades."

WENLOCKE CHRISTISON'S PLANTATION, "THE ENDING OF CONTROVERSIE"

By Henry Chandlee Forman

Down at the end of a dusty road in Talbot County on the Eastern Shore of Maryland, and beside silver Goldsborough Creek, there stands today in an almost incredible state of ruin the seventeenth century house closely identified with Wenlocke Christison, a man who was no less a pioneer of religious freedom in this country than was John Bowne of New York, or Samuel Gorton of Rhode Island. In truth, so important in the annals of Maryland is the very name of Wenlocke Christison, that the Maryland Tercentenary Commission in its brochure celebrating the founding of the Province and the establishment of religious toleration described how Christison was persecuted in Old England, and New England as well, and how he found on the Chesapeake Bay a home with the name of "The ending of Controversie." For all that, the house which almost certainly was this man's home, now doubtless over two hundred and fifty years old, has been allowed to become a dilapidated ruin on the brink of complete destruction, *uncared for* and *unknown.* So hidden away is this skeleton of a house that one can live for years within a couple of miles of it without learning that it is there.[1]

In the year 1656 there began in New England what has been generally and not improperly called the persecution of the Quakers.[2] It was Wenlocke Christison who, for his Friends' faith, suffered twenty-seven "cruel stripes," laid on his bare body with calm deliberation in front of the standing magistrates of Plymouth, Massachusetts,—standing, because the judges, bidding the jailer lay on the whip, could the better see. It was Wenlocke who was ejected from Plymouth prison to travel on threepence a day in the dead of winter, the jailer having robbed him of his waistcoat, and the Governor having told him that he must "pay" for his preaching. Again, it was Wenlocke who was banished from Boston for being a member of the Society of Friends, with the attendant penalty of death should he return, and who, returning, was told that, unless he renounced his faith, he should die. One can almost hear the entreaties of his companion, who stood next to him in the court room, whispering,

[1] When the writer finally visited this building, and discovered that the construction was unique in Maryland, careful measurements and photographs were made for a permanent record.

[2] Hutchinson, T., *The History of the Colony of Massachusetts Bay,* 1764, I, 201.

"Wenlocke, thy turn is next at hanging;" but Christison, having just seen a Friend hanged, said no, he would not change his faith, nor seek to save his life. Memorable are the words of Christison on this occasion: "for the last man that was put to death here are five come in his room, and if you have power to take my life from me, God can raise up the same principle of life in ten of his servants and send them among you in my room, that you may have torment upon torment." [3] Finally, it was Wenlocke, who, along with two women, was stripped to the waist, tied to the tail of a cart and whipped through Boston, Roxbury and Dedham.[4]

When Wenlocke Christison found no haven in all New England—not even in Rhode Island where he stayed for a short time—and when he came to Maryland, the "land of sanctuary," it would seem entirely fitting that he should have given to his plantation by the Chesapeake the name of "The ending of Controversie." Popular tradition would have us so believe; [5] but the fact remains that his plantation was owned previously by Francis Armstrong, a planter, who had the hundred and fifty acres of "The ending of Controversie" laid out on February 19, 1667. Armstrong likewise owned "Betty's Cove," the site of the first Friends' meeting-house on the Eastern Shore. He soon conveyed "The ending of Controversie" to the Calvert County physician, Peter Sharpe, who had a patent for it on the tenth of October the same year. Not until the first of August three years later (1670) did Dr. Sharp and his wife Judith give the tract to Christison as a gift.[6] But even if Christison did not name it, some one else at any rate must have been buffeted in the Old World, or in the New, to seek tranquility on this Maryland plantation with the peaceful name.

[3] *Ibid.*

[4] *New England Judged Not By Man's, But The Spirit of the Lord,* etc., London, 1661, as given in Tilghman, O., *History of Talbot County,* I, 109. The first Quaker women to come to New England were ordered to be stripped to see if there were Devil's marks upon them, and thereafter almost every town was favored with the spectacle of Quaker women stripped to the middle, tied to a cart and whipped without mercy. *Proceedings of the Massachusetts Historical Society,* XVIII, 390.

[5] The brochure issued by the Maryland Tercentenary Commission stated that Christison "named his estate *The End of Controversie.*"

[6] Lib. 11, fols. 11, 92. Laid out February 19, 1667, for Francis Armstrong, a parcel of land called the ending of Controversie, and assigned to Peter Sharpe. The patent of this land, comprising one hundred and fifty acres, was granted October 10, 1667, to Peter Sharpe. The tract was bounded on the south by Fauseley Creek (now Glebe Creek), on the west by "Ashby," 800 acres granted Roger Grosse (1663), on the north by the Eastern Branch (now Goldsborough Creek) and on the east by land of John Kenemont and by "Fauseley," 250 acres granted Roger Grosse (1663). The writer has checked the bounds of "The ending of Controversie," and found that Wenlocke's supposed house is squarely within bounds. The house stands on the "Woodstock" property three miles northwest of Easton, Maryland. Also see Land Records, Lib. 1, fol. 120, Easton, Md.

The dwelling-place ascribed to Wenlocke is an interesting example—and a rare one, too—of a house built with random-width boards placed vertically on the long sides of the house. This method, employed in the New England whence Christison came, is the oldest known form of wooden construction in England. It may be described as the "palisade" style of building, and was brought to England over a thousand years ago by the Anglo-Saxons.[7]

There is no doubt that the "palisade" construction at Christison's is original. The boards are very old and weathered, fit tightly at the top under the cornice, and have chamfered wooden strips to cover the joints against the weather. Moreover, the nails are of the ancient wrought-iron square-headed type.

From an architectural viewpoint the building appears definitely to date from the seventeenth century, because it has all the earmarks of the period. Witness the great fireplaces, seven feet in span; the two little narrow "break-neck" winding staircases beside the chimneys; the vertical board partition, with simple carved mouldings, separating the rooms downstairs; the cellar and foundation laid up with the English bonded brickwork, characteristic of this period; the small windows and very steep roof; the little bedrooms with sloping ceilings; and, of course, the medieval adoption of "palisades." Indeed, the very plan is typical of this century: brick gable-ends, timber-framed sides, with two rooms downstairs, and two up—like, for instance, Clocker's Fancy in St. Mary's City, or Clay's Neck in Talbot County.[8]

In the "greate" room, which lies toward the east, the seven-foot fireplace is wainscoted and has a large rectangular panel. Upstairs, the whole west end of the bedroom over the dining room is panelled in simple taste, for even strict Quaker Wenlocke Christison was influenced by prevailing hand-carving fashions in Maryland. But in what condition lies this bedroom now! The arched fireplace with shelf moulded in cyma curves has no back but the open air. The doors to closet and staircase, as well as the central panel over the fireplace, have fallen off the house. Yet here in this room it very well may have been that Wenlocke died, his dust to be buried "in

[7] For a fuller description of this building method, see chapter three of *Jamestown and St. Mary's: Buried Cities of Romance,* by the writer. The book by Harold R. Shurtleff, entitled "The Log Cabin Myth," at this writing on the eve of publication, should do much to dispel the popular fallacy that our earliest buildings were log cabins.

[8] The fact that "The ending of Controversie" house has a type of wall construction unique in Maryland is additional evidence indicating that Christison built it, because he was not only an unusual man, but a much-travelled one. Before 1890, S. A. Harrison stated that Christison almost certainly built this building (Tilghman, *op. cit.,* I, 124).

decency and in order" within a fenced area "upon the Hill" close by.[9]

At the time of his death in 1679, Christison had in his home the following articles of furniture, among others: feather beds, blankets, sheets, bolsters, pillows and pillow cases, a warming pan (probably for the bedroom without a fireplace), a chest of drawers, a large standing table and a round table, a large wainscot chest, a trunk marked M C (probably for his daughter Mary), rugs and brass "twined" candlesticks. For the kitchen, which possibly lay to the west of the house, and for the dining room, we know that Christison had brass kettles and brass ladles, iron pots, a bell metal pot, a small skillet, pewter basins, and pewter dishes and porringers of various sizes. These articles, while not comprising the full furnishings of the house, indicate that "The ending of Controversie" did not bear the stamp of poverty. In those days relatively few persons owned such luxuries as brass candlesticks which were spirally twisted.

Christison bore an honorable name in Maryland, not only among Friends, but also in government circles. One of the first Quakers ever to hold public office, he was Burgess in the General Assembly, meeting in 1678 in St. Mary's City. Although he died the following year, his membership was retained until 1681, when it was noted that he was a "member deceased."[10] He left a charming widow, Elizabeth (Harwood) Christison, *nee* Gary.[11] When this young woman found herself again a widow, after Wenlocke's death, she embarked upon two undertakings. The next property which she acquired was called "Widows Chance" (1679), and a little later she entered (1681) into bonds of holy matrimony for a third time,—William Dixon, "the Glover," being the fortunate choice.

There seems little doubt that William Dixon, also called planter, lived at Christison's after he married the widow. Certain it is that Dixon owned "The ending of Controversie" between her death in 1697 and his death in 1701.[12] Although the tract reverted to some persons called Edward Russam, John Ray, Thomas Roberts, and their wives, Isaac Dixon in 1731 possessed the whole hundred and fifty acres, so that the plantation may well be claimed as an old Dixon property.

[9] Will of Wenlocke Christison, Lib. 2, fol. 89. His name was also spelled Christopherson, Christianson, Christson, Christisson, Christeson. Wenlocke was also spelled Wenlock, Winlock, Wendlocke. See Savage, J., *Genealogical Dictionary of the First Settlers of New England.*

[10] *Maryland Archives,* VII; *Maryland Historical Magazine,* XVI.

[11] Elizabeth Gary, whose mother was Judith Sharpe, married first, Robert Harwood. Wills, Lib. 2, fols. 89, 156, 354; Lib. 7, fol. 264.

[12] Rent Rolls; Wills, Lib. 11, fol. 175.

About 1890, Wenlocke's home was mentioned as being in a "dilapidated" condition.[13] Today, the brick gable-end on the west has crumbled to dust, carrying with it one of the great chimneys and one of the staircases. The floors sag dangerously; in fact, the floor of the dining room has already departed into the yawning gulf of the cellar. The window sash, of the early "guillotine" variety, has been kicked in, and the ends of the roofing rafters on the south side of the house have so rotted away that the entire roof hangs tremulously suspended in air. The plaster has fallen from the crude hand-cut laths, and the doors of the house have been stripped from the hinges. At present, wrecked sofas and kerosene stoves and broken planks and parts of doors and pieces of scrap-iron litter the "greate" room. Such detail is presented only to show what the forgetfulness of the years can do to a house. If this dwelling *had lacked* an historical background, it should have warranted preservation on the sole ground of its "palisade" architecture in the Anglo-Saxon tradition. New England or Virginia would probably have cared for such a building as the heritage of the state, and possibly a Rockefeller would have bestowed on it the good fortune which the Rolfe House, or Smith's Fort Plantation, has recently received. And Thomas Rolfe was never a man as great as Wenlocke Christison.

Perhaps when Wenlocke took his last look through the little square bedroom window, the memory of his fantastic early life came back to mind. It is difficult to believe that he ever forgot the time when, on trial because of his Friends' ministry, he stood before Governor Endicott of Massachusetts, who called to him, "Wast thou not banished upon pain of death?" and his own answer, calm, steady, fearless, "Yea, I was. I refuse not to die." What could you do with a man like that? What could be done with one who would sooner suffer the gallows than take off his hat? Or who, on trial for his life, tried to prove that Massachusetts had forfeited the King's Patent, at the same time turning the charges of his accusers into accusations against themselves? The Boston punishments where the lashes of knotted ropes made holes in the body deep enough for peas to lie in were not enough to break the spirit of this man. Christison was one of those few whose spirit is invincible. The result was that the judges did not dare to put him to death.

The little grey cottage with the mossy roof, decaying by the sleepy river shore, is the last material monument of a man that Maryland will long remember. Whenever we think of him, we are reminded of this Province where for many years there was an ending of controversy, and men and women could worship and live in peace together.

[13] Tilghman, *op. cit.*, I, 124.

AUTOBIOGRAPHY OF COMMODORE GEORGE NICHOLAS HOLLINS, C. S. A.[1]

I was born in or near the City of Baltimore on the 20th of September 1799. My Father was an Englishman—born in Manchester & came to the U. S. in about the year 1785/6. He entered into business in Baltimore where he married Miss Janet Smith, daughter of Mr. John Smith, who came to Baltimore in 1760, when this now prosperous city was but a small village. I was the fourth son—went to school for a few years in Baltimore, & at about the age of 10 years was sent to Virginia, to my Uncle's place in Albemarle Cy. Judge Carr my uncle by marriage had a school there, & there are now but five of those boys living. R. R. H., Peyton H., Robt. & Spear Nicholas. My education was very limited, like most boys I was fonder of play than of books and after remaining two or three years at school, I was sent for to Baltimore.

When I was about fourteen years old, Perry's great victory on the Lakes was the event of the day. Commodore Perry was visiting Baltimore, & entertained by many of the prominent citizens besides having had a grand Ball given in honor of his presence. He was entertained by my father & during his visit in my father's house I was called in & introduced to the gallant hero. My father asked him what kind of a midshipman I would make. The Commodore said, "he will make a first rate one, Sir. I entered the Navy just at his age"—My father, then said go and ask your Mother. I remember, so well, when I asked her she burst into tears & begged me not to go to sea. She had painful associations with the idea of any of her children going to sea, but a few years before, her second son William had been lost at sea, & her mother's heart shrank from trusting another one of her loved children to the treacherous element. She offered me a farm, anything, but I felt as if I were to be a man at once and my own Master, so I persisted and she finally gave a reluctant & tearful consent. The next day (if I remember aright—the application was made for a midshipman's warrant & by return mail I received my appointment, with orders to join the U. S. Sloop of War Erie, Commander Chas Goodwin Ridgely.—The orders were

[1] MS owned by Mr. H. Cavendish Darrell. The author was a son of John Hollins and a nephew of General Samuel Smith. He married in 1833 Maria Ridgely Sterett, daughter of General Joseph Sterett, of Surrey, on the Philadelphia Road, and after her death her sister, Louisa Sherlock Sterett, in 1859. He was a brother of Mayor Smith Hollins, for whom a street is named. Commodore Hollins, who died January 18, 1878, is the subject of a sketch in the *Dictionary of American Biography*.

George Nicholas Hollins at age 16, miniature by an unknown artist, and his first wife, Maria Ridgely Sterett, miniature by Mary Jane Simes. Both are from the collection of Mr. H. Cavendish Darrell. Photos by Frick Art Reference Library.

for the Erie to go out on a cruise but the Chesapeake was blockaded by an English fleet under Admiral Cockburn. Not being able to get out to sea, the Erie was brought up to Baltimore & the ship laid up. Captain Ridgely & the officers were ordered up to Lake Ontario. I was sick & did not go. They doubtless thought a green young stu[?] of 14 no great loss to that squadron.

In August 1814, when the attack on Washington was anticipated Com[e] Rogers being in command of the sailors & naval forces—I volunteered my services & was order'd to join the volunteer seamen—under Captain Rutter[?] of the Flotilla.—We marched to Washington, had a brush & retreated with the rest of the forces after the Battle of Bladensburg,—I then went back to the Erie (which was in ordinary) in Baltimore harbor.

There was I, a mere lad of fourteen in command (in reality) of a sloop of War & about a hundred seamen—for Capt. De la Roche who had had command took the two long guns & other volunteer men, & went up to Laudenslagers hill, East of the City—That was in preparation for meeting the British in their contemplated attack on Baltimore. The Erie was lying in the Basin, off Jackson's wharf, with springs on her cables to prevent the foe from coming up to the city in boats.

In December 1814 I was ordered to New York to join the U. S. Frigate President Commodore Stephen Decatur. On the 13th January 1815 we attempted to go to sea, but the pilot ran us ashore on the bar & we thumped there for two or three hours. The wind was blowing strong from the N. W. which prevented the return of the ship to N. Y. as she was seriously injured, & should have gone back for repairs. We could not as I stated return—nor could we remain where we were until morning as John Bull could have seen us from where he was; (outside) Blockading the Port.

At daylight, on the morning of the 14th we descried four sail, the nearest one fired at us, & we had a running fight all day—wetting the sails and lightening the ship by throwing everything overboard that we could, shot & guns, to expedite our speed, provisions, boats anchors—were thrown over, but notwithstanding all that they steadily gained on us. At ½ past 4 o'Clock P. M. the leading ship, which proved to be the Endymion (H. B. M's) brought on the action. We still firing nothing but our stern chasers—The Endymion's superiority in sailing gave her the advantage of sheering & raking us, first one broadside & then the other was poured into us. We had all preparations made for boarding her in case she sheered close enough. After firing in that way for about five hours, she made a close sheer

& we attempted to board, but failed. The Com's idea & intention was, if possible, to board & capture this, the faster vessel, sink the President, & make his escape from the squadron, which had he succeeded in doing would have been an achievement worthy of that gallant & brave officer. When the Commodore called all hands & told them his intentions he remarked in conclusion " & we will leave them the ashes of the President to take care of—Now go to your quarters "—As I walked back I remarked to a midshipman belonging to the same division, " I shall never be able to climb aboard; a little fellow like me "—A huge fat old quartermaster, a captain of one of the guns in my division said " Never mind Mr. Hollins you hold on to my jacket & I'll take you aboard. We're not going to leave you here," which was rather consoling to one whose first day's experience of sea-going, was that sprightly days work.—

When the Endymion sheered so close, as I before stated we failed to board & our manoeuvre brought us broadside to broadside, & we fired into each other a tremendous fire for 15 or twenty minutes when the Endymion was so completely cut up that she fell entirely out of the fight, & we shaped our course again with our stern presented to her broadside & she never fired a gun. The wind was very light & we had killed it completely with the fight that gave the other vessels a chance of coming up to us.

Our division was called on deck, to repair the rigging, it was then about ½ past ten P. M. As I walked aft to the wheel I saw a man lying on the deck, the light of the binnacle shining brightly upon him. He had been cut in two by a shot & with feelings of horror I stood looking at the poor fellow's remains,—when a hand was laid on my shoulder and a voice said " Young gentleman have you nothing else to do than to be looking at such things as that, go and attend to your duty "—I did not know at the time who spoke but I knew afterwards that it was Decatur himself."—

At or about 11 P. M. a fresh frigate the " Pomone " came up, & we commenced fighting. After fighting ten minutes another (the Tenedos), came up on the other quarter & opened fire on us. Then seeing there was no chance Commodore Decatur concluded to surrender. He stopped firing. The Englishman hailed " to know if we had surrendered. The Commodore replied " I surrender to the squadron,"—They either pretended to, or did misunderstand him, & gave us another broadside, while our men were standing defenceless about the deck. The Commodore seized the trumpet & called out his men, " To your quarters. I see they're bound to sink us, let us go down like men." Before *we* fired a gun—they again went through

the same form & inquiry. Commodore Decatur again replied " I surrender to the squadron "—They then lower'd their boats & came aboard. The Endymion was then almost hull down astern, altho' John Bull has always claimed that *she* whipped us.

We lost about 175 men & officers in killed & wounded. Three Lieutenants, Babbitt, Hamilton & Howard killed & one midshipman Dale (son of Capt. Dale who had been 1st Lieut of the Bon Homme Richard, Com. John Paul Jones) was wounded & died of his wound.

We were divided among the squadron & I was taken aboard the Pomone (formerly a French Frigate) & carried to the Island of Bermuda & paroled to the limits of the town of " Georgetown."

The midshipmen formed themselves into a mess—Some of the English merchants then behaved very handsomely, to me especially. A Mr. Bank who had known my father—sent for me, took me to his counting room, & gave directions to his clerk, to let me have any money I wanted. Mr. Musson also, made the same offer to any amount I might require—Conduct worthy of a generous foe.—Another gentleman offered us a very nice house in the country, stating however that it had the reputation of being haunted. But fifteen midshipmen were not likely to be overcome by terrors or fear of ghosts, & we gladly availed ourselves of his kind offer. Spirits there were, but not intangible ones, that house was haunted not with invisible spirits but with the exuberant & irrepressible spirits of youth & health. Ghosts if any, ever inhabited that abode, were surely driven off by the capers of those careless & happy youngsters—not one of whom remains at this date, Feb. 28th, 1866, but myself, Irving Shubruch, Robert B. Randolph (who attempted to pull Gen. Jackson's nose) Christopher Emmitt, nephew of the Irish Rebel of the same name) William Newman (poor Billy) ——— Brewster, Hunter, of Phila—afterwards lost on the Epervier, & those are all I can recall of those fifteen.

Peace had long before been made—but the news of the conditions & treaty had not reached Bermuda. We were there about two months, & a half & reached the U. S. the latter part of March 1815. We landed in Norfolk, Va. Cap^{n} Fergusson long a popular Captain of steamboats on the Chesapeake, then commanded a packet schooner & gave me a free passage up to Baltimore which place we reached in four days after leaving Norfolk—

The following May Commodore Decatur sailed for the Mediterranean,* where he had been ordered in command of a squadron, consisting of 3 frigates, three Sloops of War, a Brig & two schooners

* I was ordered to the Commodores ship, the Guerrier.

to put down the Algerins who had declared War against the U. S. while we were at war with England. After getting into the Mediterranean, off Cape de Gat on the Spanish Coast,—saw a Frigate with English colors flying. She was " laying hove to " evidently waiting for us to come up; never supposing the Americans had such a squadron as that in those waters, in closing up the Com^e made a signal to one of the squadron to go ahead—the Captain of one of the other vessels supposing the fight was to begin—hoisted the American colors—the Algerine, as he turn'd out to be, took the alarm, and was immediately in a cloud of canvass—having evidently been prepared for any emergency. We had everything secured for fight & it took some time for us to make sail. We kept up a running fight for about half an hour when she surrendered.

An officer & prize crew were put aboard & sent her into Malaga, Spain. That same night we captured an Algerine Brig—the Captain of which run her ashore, when he found our men chasing him. We sent her, also, into Malaga & proceeded to Algiers.

On arriving at Algiers, we made signal to the Swedish Consul—who came aboard. The Com^e consulted with him on the possibility or chances of getting commissioners to come off, & try if feasible to make peace. The Swedish Consul went back & brought the Commissioners (three Algerine officers) on board.

While the commissioners were debating and not at all inclined to accede to the Commodore's terms, on the contrary opposing every proposition of his & cavilling at every offer, an Algerine vessel with a large sum of money on board, made her appearance in the harbor. The squadron gave chase. The Commodore informed the Com^sns & advised them to sign the treaty, otherwise he would capture the ship. The Algerines were expecting the ship, & flattered themselves that as they were under a flag of truce, in the Commodore's ship, all were under a flag of truce as well, but Decatur said " Not so, only my vessel is so, the others are not & will capture the ship in less than half an hour.—They doubted the story of the capture of their frigate & Com^e Decatur sent for the Captain who was his prisoner on board, the Admiral having been killed in the fight. When the Captain entered the cabin & the highest officer saw him he rushed at him, seized him by the beard & was about to jerk him down to his feet when Decatur interfered & prevented it.

They however signed the treaty, at once. Com^e Decatur afterwards inquired of the Commissione[rs] " why they had gone to War with us? " the Algerins reply " that it was by the advice of the British Consul who said " we will take all their (the American) Men of

War & you can take the Merchant Ships," he continued & now instead of the result being, as they promised You (the Americans) have brought out, three of their (the English) ships, to whip us with, namely the Macedonian, the Guerrier & Epervier.

By the terms of the treaty, the Algerines were compelled to release every Christian prisoner whom they held as a slave, and also to promise they would make no more Christian slaves.

We then sail'd for Tripoli, to demand payment for prizes captured during the War. These prizes were English merchantmen captured by an American privateer & taken into Tripoli, & then seized by the Tripolitans. They were valued at about $50,000. Decatur demanded the amount & gave them *one* hour in which to pay the sum. They had not the money nor could they raise that amt. so hurriedly in lieu of payment. Comᵉ Decatur compelled the Bashaw to liberate all the Christians he held as slaves, with the promise of never making any more Christian slaves & none have been made since. All those who were liberated he carried over & delivered them up to the King of Naples. Some of them had been prisoners 10 or 11 years. We then sailed for Tunis & made similar demands for repayment of prize money. they had no Christian prisoners. After fulfilling the object of his cruise the Comᵉ went to Gibralter & from thence to the U. S. leaving Comᵉ Bainbridge in command of the Squadron.

On our arrival in New York I was detached, Nov. 1815. In January 1816, I was ordered to the Washington 74, Comᵉ Isaac Chauncey, Capt. John Ord Creighton, and a fiery ordeal it was for a youngster of 16 to face those two hard, old style disciplinarians. All hand were called at 4 A. M. to scrub the decks, or rather holy stone them, the water freezing before it fell to the decks. We had to go off at the same hour in launches for drinking water, from President Roads, & the Navy Yard Boston. It was most intensely cold & at that time midshipmen were not allowed to wear great coats on board nor to put their hands in their pockets. We would be gone until 11 o'clock A. M. & not one mouthful pass our lips, until our return to the ship. In all the time we were there, we were not allowed to go ashore. We were ordered to Annapolis to take Mr. Pinkney as minister to Naples. We were in dispair & put our heads together to concoct some plan to have a little bit of a spree ashore before we left. After consultations & conferrings, it was decided that a certain number two or so from each mess should go to the Commodore and ask permission, to go ashore to purchase sea stores. After great solicitation & most earnest entreaty, old Chauncey gave us permission and allowed us to have the requisite money. Imagine our delight

at the prospect, such a brushing up & fixing, such gleeful anticipations as we indulged in, when all were ready we went ashore, in the forenoon. Our first thought was, the quere—what would yield the greatest amount of pleasure in a short time as we had to be back by sundown. So our first move was to charter a huge old fashioned two wheel gig apiece, six or eight of us, no riding two in a gig for us, but every man in his own equipage. As I said off we started, in procession & drove around the mightly hub of the Universe, & I *du guess* our Boston Puritans were overwhelmed with holy horror. After going in all directions we wheel'd into Cornhill, & the first sight that greeted our eyes was Commodore Chauncey. There we were dressed in full split-Uniform coats, cocked hats, white pants (cassimere) fitting tight as the skin—high top boots & tassels, every boy of us with a segar in his mouth laying back. each took off his hat, made a profound bow to the Commodore, & cut up his nag most vigorously that he might escape from the Commodore's sight as soon as possible.

The next morning the Commodore came aboard, & asked us if we had been laying in our sea stores in gigs. We were a jolly sett in those days, & altho' we were not graduates of the Naval School at Annapolis, we were good sailors & could reef a topsail or tack a ship, a good deal better than can be done now by " a many."

The following day we sailed for Annapolis, where we took Mr. Pinkney on board. We also took back that famous Band of Musicians that had been stolen from Naples by Com^e^ McNeal, in 1809. Some of the musicians were the Carusi's who returned to the U. S. & became music teachers & teachers of dancing in Washington & Baltimore. We of the Steerage mess enjoyed the stores we laid in, in that famous excursion to Boston & down Cornhill. Our coffee was made of burnt bread, and for the rest we had hard tack & salt beef or pork, for the rest of the trip to the Mediterranean. The suite of Mr. Pinkney consisted of Charles Oliver of Baltimore, & a Mr. Middleton of S. C., who was accompanied by his wife an Italian lady, of great beauty.

We cruised in the Medit^n^ for two years, 1817, 1818, when we were relieved by Franklin 74, Stewart Com^e^—who brought out orders for me to join the Franklin. The squadron consisted of two 74^s^, 3 Frigates & four Sloops of War besides a Brig. Com^e^ Stewart then sailed with his whole squadron & showed ourselves to the Barbary Powers to inspire them with a wholesome awe. When off Algeirs I left the Washington & joined the Franklin & the former started for home. Commodore Chauncey was famous for his good dinners &

excellent wines. As the Washington sail'd away Capt. Crane in command of the U. S. stood in the gangway & mournfully exclaimed Farewell to all good eating & drinking—but I'll go aboard the Commodore, & take a pinch of snuff once in awhile.—I was a mere lad but had a letter of credit on different houses in Gibralter, Naples & Leghorn. Mr. Purviance of Baltimore was a merchant in Leghorn & I was invited to dine with him. I think there must have been twenty courses & by the time dinner was half over, I was near bursting.

Having read in "A Rebel War Clerk's Diary" an account or rather slight mention of the St. Nicholas affair in which Col Zarvona as the "French Lady" is alone known the following account is written a[s] the true & correct statement of all that occurred—

I was in command of the U. S. Ship Susquehanna—at Naples—May 1861, when I received orders from the commodore of the squadron to proceed to New York and report to the Department at Washington—June 4, 1861. I arrived off New York & then, by the Dispatch Boat received orders to proceed to Boston. On reaching Boston Navy Yard, I reported my arrival to the Department & at the same time sent on my resignation, I never mentioned my intention of resigning not choosing to exercise, or even to do anything that might be construed into an effort to influence the officers under my command. That was on the 5th or 6th June. Not until the 12th did I receive an answer, & that was a "*dismissal*" from the service of the U. S. Government—& that, by a fellow who was splitting rails in the West while I had been serving my country.

We, for all my family were with me—except my oldest son Sterett, started the next day for Baltimore where I intended to leave the females of my family. I remained in Baltimore until Tuesday morning, the 18th June.

At the time I resigned in Boston, twelve officers resigned & eighty men made application to be discharged—One of the officers, Mr. W., had his resignation written & ready to be forwarded, but a letter from his grandfather J. J. Crittenden of Ky. stopped him, and he remained in the Service, & is there now for aught I know to the contrary. The day before I left Baltimore I met an old acquaintance in the Boarding house, & not having been accustomed to conceal my sentiments, I was adverting to my intentions of going south, when I received a warning *look* from a friend & an intimation that he was a Yankee consequently not to be trusted, so as I had in a measure committed

myself I thought I would at least mislead him, & after stating my plans etc I *confidentially dropped,* that I intended leaving by way of the B & O R Road, via Harpers Ferry for Virginia. Instead of doing so the next day I went by steamboat, the cars were stopped & searched for me, at the Relay House on the B & O R R—where there was a regular guard. In proof that they intended to arrest me at the very time the guards were looking for me, a Clerk in the Navy Dept. Washington told a friend of mine I had been captured.

At 6 o'Clock A. M. June 18, I left Baltimore on the Mary Washington a Steamboat running to the Patuxent.[2] On landing at one of the Landings on the river I went to the plantation of Mr. S. where I suggested the idea, (*which originated entirely with myself*) of seizing the St. Nicholas, a Boat running between Baltimore & Washington, & manning her with volunteers, & then to take the Pawnee a U. S. Steamer commanded by Yankee Ward, & which was a great annoyance to the boats on the Potomac.—I was told that the plan could not be carried out as there were so many Union men about, that it must certainly be discovered before it could be executed. Finding that I could not act there, I crossed the Potomac in an open boat pulled by four negroes, on reaching the Virginia side, I went to the residence of Dr. Howe [Hooe] about 20 miles from Fredericksburg. this place I reached at 1 A. M. this gentleman was a perfect stranger to me, but he received me kindly, entertained me handsomely, he & his charming family, so soon to be rendered houseless & homeless by the incendiary act of that vandal Captain Budd of the U. S. Gunboat—a name ever to be remembered, and desecrated as the insulter of unprotected females—firing into barns & houses & everything, but what might have been expected of an officer or a gentleman.

The same day Dr. Howe [Hooe] chartered a buggy, & drove me to Fredericksburg, where I arrived at 6 O'Clock in the afternoon. On registering my name at the Hotel a gentleman, Mr. Chew, introduced himself to me & insisted most kindly on taking me to his house, where he entertained me most handsomely & hospitably. Next morning I went to Richmond, in the cars. I immediately proceeded to the Navy Department & reported myself to the Secretary, & at once received my Commission as Captain in the Confederate States Navy.

After getting my position & Commission I went into the Bureau of Details where I met many of my old friends who had also resigned,

[2] This and the next seven paragraphs have appeared in *Official Records of the Union and Confederate Navies,* Series I, 4: 553-555.

Barron, Maury, Lewis, Spotswood, & many others. In conversation in that office I suggested my plan of seizing the St. Nicholas & carrying out the scheme that had suggested itself to me at Col. S's— I was told that the Secretary, Mr. Mallory, would not agree to the plan but that the Governor (Letcher) would. I then remarked that I would obtain Mr. Mallory's permission to apply to the Governor. I walked into Mr. Mallory's room, & asked his permission, he granted it, & I at once went straight to the Governor's. When I made my proposition, Gov. Letcher, without a moments hesitation acceded to the proposal, & gave me a draft for $1,000. to send North for arms, men, etc. He then & there introduced me to Col. Thomas of Maryland, alias, Zarvona, as person who could be trusted to go North & purchase arms or transact other business. That same afternoon I started off for Point Lookout, via Fredericksburg. After leaving F'burg I met my two sons who were on their way to Richmond, they joined me of course, that next ev[en]ing we recrossed the Potomac to the Maryland side, St. Mary's County, where I went to the house of a friend & remained until sundown. When I, my two sons & five men, started in a wagon, in a pouring rain, a nasty dirty night, for Point Lookout, where the St. Nicholas had to stop on her way to Washington. About an hour after our arrival at Pt Lookout, the St. Nicholas came to the Wharf. After reaching the Maryland side I signed the draft & Col. Thomas took the Patuxent Boat, & went on to Baltimore & Philadelphia to purchase the arms etc. I had directed him to get arms & return down the Bay in the St. Nicholas—& get as many men to join him as he could. I also stated to him that I should join him at Point Lookout. On the arrival of the St. N— at Point Lookout at 12 Midnight, I went on board with my party. I saw Col. Thomas dressed as a woman to avoid suspicion, as he had high large trunks such as milliners & such like travel with, they contained arms & ammunition. I told Col. T. to hold himself in readiness as soon as we cleared the wharf, we would take the steamer. In a few minutes we left the wharf—and I soon made the appointed signal the trunks were thrown open the men seized the arms I took a musket or rather a Sharp's Rifle, & pair of pistols, ran up to the wheelhouse put my hand on the Captain's shoulder & told him I had captured his boat—& ordered him to take the boat over to Cone River, but he declined saying he was no pilot—I told him I knew he was a pilot & that if he did not pilot me over I would set fire to the boat & land all my men in his boats as I was determined she should not fall into the hands of the enemy. I learned since that the Captain became so uneasy that another man piloted her over.

About an hour after my arrival at Cone river landing a body of Confederate soldiers & sailors came down to assist me, the soldiers commmanded by Capt. Lewis.

I then read the Baltimore morning papers, & ascertained that Captain Ward had been killed while making an attack on Matthias Pt. & all the Gunboats had left the River & had gone up to Washington to the funeral.

There were several passengers on board, but I landed them & gave permission to all who wished to return to Balto to do so. Few returned, as all nearly were on their way South & although it was Sunday the ladies amused themselves by making Confederate flags, out of the Yankee flags I had captured.

Finding there was no chance of capturing the Pawnee—& deeming it unsafe to remain where I was, in a steamer without guns, I resolved to go up to Fredericksburg, & immediately ran out in the Chesapeake Bay. I saw a fine Brig ran alongside of her. She proved to be the Brig Monticello, from Rio, loaded with coffee & bound to Baltimore. I merely captured her, taking the crew on board the St. Nicholas & leaving the Capt^{n} & his wife on board as I did not wish to terrify the lady or to render her uncomfortable. I put Lt. Robert Minor on board, with orders to take the Brig to Fredericksburg. The Coffee, a full cargo, was a great treat to our "boys in grey"—who were already beginning to endure some of the many privations that made them in later days truly an army of martyrs. In an hour or less I captured a schooner from Boston, loaded with Ice, & bound to Washington. I placed an officer & prize crew on board & dispatched her also to Fredericksburg. The Ice just got there in time for the wounded & sick in the Hospitals were suffering for the want of it. The ice was sold at auction & the Yankee Captain of the Schooner attended the sale, & seeing the fine price paid for the Ice, he came to me & proposed that he should go to Boston, get another vessel loaded with ice bring her down & let me know precisely where to meet him that I might capture him take the vessel to Fredsbg sell the Ice & *divide* the *proceeds*.*

He had a splendid Flag of a 74, an Ensign that he had borrowed from the Navy Yard, Boston, to hoist on the occasion of Douglas's death, but of that same ensign a goodly number of Secession flags were made.

I next captured another schooner, from Baltimore, loaded with coal, bound to Boston, a most fortunate prize, as I was on my last bucket of coal on the St. Nicholas. I filled up as I went along, as

* Would any one but a Yankee have been guilty of such rascality.

I began to feel a little fearful that some of the gunboats might be after me, so we went up to Fredericksburg, I towing my prize. we reached there safely. The Govt bought the St. Nicholas for about 45,000, & turned her into a gunboat. The coffee sold very well, but as she was a Baltimore vessel & owned by a gentleman of that city the govt ascertained the price of coffee in Balto & paid Messrs. Spence & Reid 12c a lb. & sold it at 25 or 30c in Richmond, the vessel was returned to the owners.

I then went to Richmond and was ordered to the command of Fortifications on the James River, after having been there for some time & knowing I was not competent to build long shore fortifications, whatever, other Navy officers might have been, I applied for other duty more in the line of my profession, and was ordered to take command of the Station at New Orleans with the rank of Commodore.

I left Richmond early in August 1861, for New Orleans. On my arrival I found nothing there, nothing done towards putting the place in a state of defence. No money, no powder & but a few small guns, 24 pounders—& no boats. For two months I fruitlessly endeavoured to get money from the Navy Department at Richmond. Widows & women, whose husbands were in the Army, & labourers, calling daily on me for money as I gave them all the work I could. I had been writing urgently for money or permission to buy powder & their answers limited the prices, so low, that not a pound could be got at their rates. I then sent an agent to the Govr of Tennessee, for powder, & he sent a quantity but instead of consigning it to me it was delivered to the Commanding Genl. I could learn nothing of it and months afterwards I learned the Army had it. About this time I learned that the Yankees were coming up the passes. I had no means of defending the river. I had no boats, no powder, nor anything else. I bought on my own responsibility 4 flat boats or broadherns as they are called, loaded them with light-wood knots, & seized three river steamboats, & an iron-clad steamer that was built *by the merchants,* (an old Yankee brig, captured in the beginning of the War—her masts taken out, fitted out and covered with iron plates) & proceeded down the river. The Manassas was the name of the iron-clad, or nicknamed the "Turtle," also the M'Rea, the last was a merchant steamer fitted out to go to sea as a cruiser, but never succeeded in getting out of the River. She was commanded by that brave & gallant officer, Capt. Tom Huger who was killed afterwards in defending New Orleans, when attacked by Farragut. Huger . . . [not completed]

On the night of the 12th Oct. 1861 I started down the River on board the Calhoun (a tow boat one 24 pounder) with my great fleet consisting of the M'Crea seven guns—Capt. Huger—the Ivy Fashein[?] one gun—Capt. Fry—The Jackson, one gun, Capt. Gwathmey, the Manassas, 1 gun Capt. Warley. We proceeded down the River until we came near to where I supposed the Yankee squadron was, reaching there at 2 o'clock in the morning. I started the Manassas or Turtle iron-clad, Capt. Warley—with orders to strike the first vessel he came to, when he struck her to make a signal by throwing up a rocket. He fulfilled my orders & when I saw the signal, having the four flat boats in tow the two steamers, one on each side of the towing steamer, I had placed chains from the bows of the two barges so that when the steamers struck the enemy's ships the flat boats would swing round, by the force of the tide & laying on each side, set her on fire & completely destroy her, but at the attack of the Turtle (& Capt Warley always asserted most positively that he sunk one) the Yankee fleet ran, Why! only the Yankee Commodore can explain, as we had but twelve small guns. He had 12 guns on board the Richmond, the Vincennes 22 guns—the Preble 18 guns & Water Witch seven 7, in all fifty-nine against 12 guns & a few flat boats. They had 700 men & we perhaps 100, the odds certainly not in our favor.

All the Yankee boats started and got out to sea excepting the Vincennes & Richmond, they hung on the Bar. I then made an attack on them at long shot, I could not go nearer my boats were wooden river boats, Boilers on deck—& was getting short of powder—so taking all these things in consideration I deemed it most judicious to return to New Orleans as I had only what powder I had borrowed from the Army, & that nearly expended—The pilot saying that the wind being at N. W. the vessels could not get off for two days. The Yankee Capt. Pope certainly did not like his proximity to Confederate lightwood—

The whole squadron excepting one to guard the mouth of the river returned to New Orleans.

In January I think I was ordered up the river for what I never could find out, I wrote several times most urgently to Mr. Mallory telling him that I was of no earthly use up there, that the danger to New Orleans was from the Gulf side & I could not see the use of Gunboats fighting Cavalry, they had only to fall back out of reach of my guns—In the dark night they could steal down & make an attack, as our pipes & smoke stacks were simply targets, & nothing more. Under cover of the woods we could not see them—while

they could see us. Their gunboats never getting ahead of the army, which went down on both sides of the river, & we had to pass their fortifications as we went down. Pope had 25000 men & M'Cowan only 3000, so they attacked M'Cowan's men drove them back and built forts below us & we had to run the gauntlet of the forts below us,—At last we went to Fort Pillow & while there I received a Telegram, from New Orleans, telling me the enemy were crossing the Bar & urging me to come back to New Orleans. I complied & telegraphed Mr. Mallory that I had done so, at the earnest request of the Commander of the Station Whittle. I had taken a small gunboat down with me & the next day, I was telegraphed to transfer the command to the next or second in command, & proceed to Richmond. Gov. Moore of Louisiana & General Lovell both telegraphed immediately to President Davis, begging him to permit me to bring down my squadron, & carry out my plans for the defense of the City, No reply—& I proceeded to Richmond—

and here let me say—that I have never wavered in my opinion. I thought then—I am under a firm conviction still—that had I been permitted to carry out my plans Farragut would *never* have got to New Orleans from the Passes. In the poor miserable little boats I had, I had passed so many Forts, that I believe Farragut could have passed the two Forts with ease, & he with every adjunct & requisite of first class ships My boats as a friend said were " not gunboats but boats with guns on them." Nor would Beast Butler have got them & have had the pleasure of wearing Gen^{l}. Twiggs' sword presented by Congress for his gallant conduct in Mexico, & which Beast B. either stole, or had it presented to him by his equally righteous friends the Congress.

I must here say that the whole course of Mr. Mallory with reference to New Orleans, & her defenses, was utterly & entirely unaccountable to me. While I was in command of the station, Mr. Mallory sent two civilians, one said to be a connexion, to build the finest gunboat that could be built. These men were authorized to build, none of the accounts were to be presented to me for approval, & how much she cost no one knows, nor ever will, & this magnificent vessel was launched & burnt *after I left New Orleans.* The fall of New Orleans was a dreadful blow to the Confederacy—one that I think, nay I am certain, might have been avoided. One of the mysteries that will be buried with the blighted hopes, disappointments & the dead brave of the subjugated, crushed & ruined South.

& yet I believe many, yes all our misfortunes might have been averted by a different ordering of affairs at Richmond. When I

recall the sacrifices of the many gallant officers who fell at New Orleans I feel ready to cry aloud. Poor McIntosh, who remonstrated against going down to attack Farragut in an unfinished gunboat, until he said "To say more, will make people think I am personally afraid, I will go, but I go to my death." He did go, both legs were shot off, his back broken & who can portray his agonised suffering.—And gallant heroic Huger, in command of the M'Crea, he was mortally shot, but lived long enough to be carried up to his home, where his dying cry was for Come Hollins, Where is he? why don't he come?—

A brave officer & a gentleman, dying so uselessly, leaving his little orphaned children & all for what—because of the ignorance to use the mildest terms of an ill appointed Secretary of the Navy. One of Mr. Jefferson Davis' pet Yankees—I wonder what Mr. Mallory is living on in Europe, where gold is the medium of circulation, & people, honest Confederates, are starving at home. After I went to Richmond and all of us old Regular officers were safe, swaddled up and put on the shelf—about once a month I applied for active service. At last the Bureau of Detail, ordered me to Charlotte, N. C. but the Secy countermanded the order, alleging as a reason that it was not a command for one of my rank, all false and untrue. Come French Forrest was indignant when he heard the order had been rescinded but as he was also doomed to make way for the pet provisional Navy, his remonstrances, if he made them, but expedited his own downfall. What was the Provisional Navy?—Echo answers what—

In the following December,[3] I was order[ed] to Columbus Kentucky to cooperate with the Army under Genl. Polk. I proceeded with three wooden gunboats, one carrying 7 guns (one 32 pounder & 6 eighteen pounders) the other two each carrying one 11 inch gun. I was sent up as I said before to cooperate with the Army & to be with them in case they needed transportation across the river. I suggested to the Genl. Commdg that he should send men up on each side of the river to attack any Forts that might have been there, & in the event of being successful I should then have endeavored to have reached Cairo, where I understood there were several gunboats loaded with ammunition & stores. Genl Polk, not coinciding with my views. I then went up the river on a tour of inspection. While going up, perhaps within ten miles of Cairo, at a bend of

[3] This is preceded by a short description of Hollins' activities at Columbus, Kentucky, omitted because, evidently unsatisfactory to the author, it was expanded into the account here given.

the river, we were fired into by a Fort. I silenced the Fort, but knowing that if I passed it & proceeded the Yankees could immediately return & cut off my retreat to our own men, & having but a small force I would not run the risk but, determined to proceed no further, & went back to Columbus. During the whole trip I never saw any Yankee gunboats, at all.

After remaining at Columbus for some weeks, I was ordered back to N Orleans & remained there a short time, and was from there [not completed]

From this time on throughout all the rest of the War, I was never allowed to have an active command, notwithstanding I made repeated, and repeated, application to the Sec. of the Navy for such, and I must say his failure to do me justice in this respect will always remain incomprehensible to me.

CHARLES CARROLL OF CARROLLTON'S LETTER DESCRIBING THE BATTLE OF BALTIMORE

Among the papers of the late John T. Scharf in the Johns Hopkins University library Dr. W. Stull Holt recently found the following letter of Charles Carroll of Carrollton, evidently written to Levin Winder, then governor of Maryland. This fortunately helps to fill the gap in Carroll's correspondence from August to the end of October 1814 as noted in Miss Rowland's biography of the Signer. Carroll's references to his daughter, Mrs. Harper, wife of General Robert Goodloe Harper, suggest that she was with him in the country, doubtless at Doughoregan Manor.

Wednesday morning 14th Sept 1814

Dear Sir/

I rec'd yesterday evening about 8 o'clock the enclosed letter. I had broken open the seal hastily thinking it was addre/sed to me, when Mrs Harper told me it was for you.

I know not a word of its contents. I also got a letter from Mr. Harper dated 5 o'clock yesterday evening from wh I give you some extracts.

" Stricker's brigade was posted down in the neck to oppose the approach of the enemy; soon after my arrival a strong party was detached in front under Major Heath to reconoitre I went with them & acted as adjutant; we soon met the advance of the enemy & had a very smart skirmish in wh I was much exposed but not touched; we returned after some lo/s & regained our main body wh was very well posted; the main body of the enemy soon appeared in front & after maneuvring for nearly 3 hours in our front to gain a position attacked us in line. Part of our troops stood very well & gave them a heavy & well directed fire, but one regiment composed of the precints men broke before they could give or receive a fire & fled in confusion the rout soon became general; our lo/s in killed is stated to be about 30, and upwards of 100 wounded; some part rallied & retreated to camp in good order & many straggled into town. I was in the whole of the fire wh was brisk & hot, but received not a touch & when I retired I brought off a wounded man behind me; the enemy did not pursue far but advanced after the action to within five miles of the town where they encamped for the night."

Mr. Harper writes that it was expected that the enemy would have attacked them early (yesterday morning) but had not taken place at the date of his letter; he thinks general Ro/s suffered considerably on the 12th & seems now to be very cautious.

Yesterday morning early they began to bombard the Fort; many shells were thrown into the works, but as yet (date of Harper's letter) none killed, but several were wounded. Armistead has now put his men under cover; no impre/sion has been made on the fort.

" General Ro/s either intends to wait the effect of the attack on the fort, or to get as near to us as he can this afternoon (13th) & make a night

attack; if neither of these be his plan, we shall have him upon us this afternoon, & in that case, as he must take us in front & be exposed to our batteries I think we have a good chance to beat him; if he risks a night attack he will succeed because we can derive no aid from our artillery."

Major Heath had 2 horses shot under him & a ball through his hat. J^{s} H. M'Culloch the collector had his thigh broken; Lowry Donaldson the lawyer & Findley the chair maker is killed.

"Thus we stand now with force enough to destroy general Ro/s, if it could be relied on, but there lies the difficulty.

"General Ross has not yet (5 o'clock P. M.) advanced beyond his position of the forenoon wh is at Herring run on the Ph^{a} road about 4 miles from Baltimore; the bombardment of the fort is going on briskly."

I have th[?]reing extracted the material parts of M^{r} Harper's letter thinking they may give you some particulars you may not have learned from other sources. On the back of y^{r} letter in pencil letters by M^{r} Caton it seems 68 ve/sels pa/sed Annapolis yesterday morning bound up the Bay—probably these vessels bring reinforcements & provisions. If a large body of militia could be thrown in the rear of gen. Ro/s to interrupt his communication with the fleet, I think he would be compelled to abandon his attack on Baltimore.

I inclose the Telegraph of the 11th containing admiral Cochrane's letter to Monroe & Monroe's answer wh perhaps you have not seen.

I remain with sentiments of great respect & sincere regard

Dear Sir

Y^{r} most hum. Serv^{t}

Ch. Carroll of Carrollton

Be pleased to present my respects to the gentlemen of y^{r} council. Much heavy firing of heavy canon was heared here last night till 11 o'clock probably agt the fort. I have not heared of any attack being made last night by the enemy on our lines.

C. C. of C.

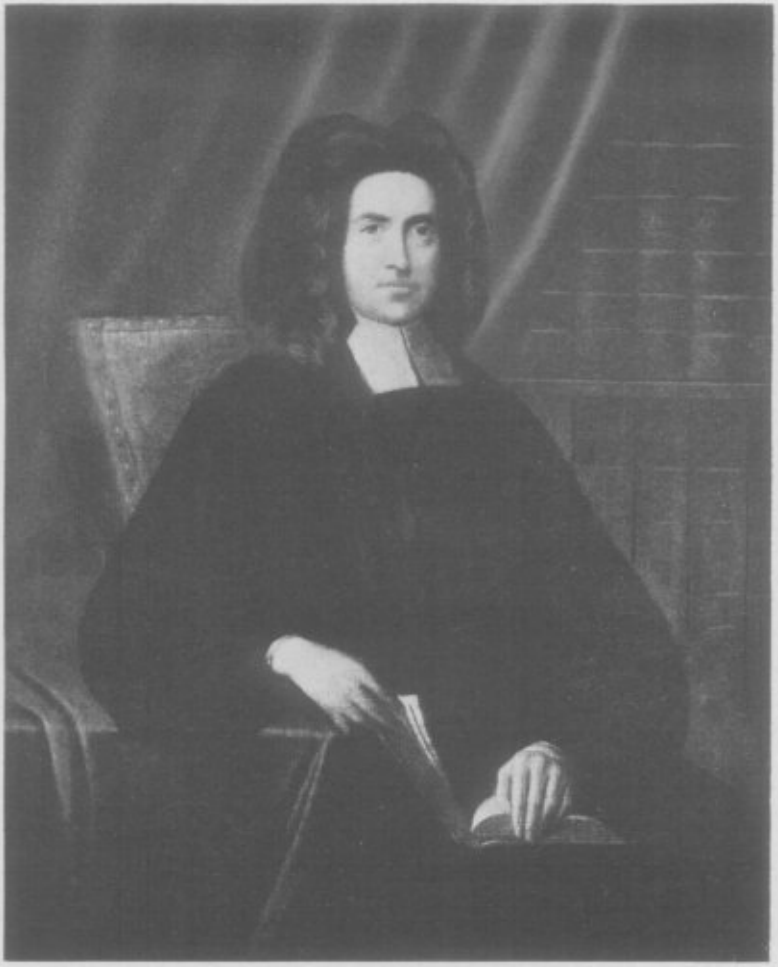
THOMAS BRAY AND THE MARYLAND PAROCHIAL LIBRARIES

By Joseph Towne Wheeler

Probably the most significant contribution of any individual to the literary culture of colonial Maryland was that made by the Reverend Thomas Bray at the beginning of the eighteenth century.[1] Through his remarkable energy and devotion to the idea of strengthening the Established Church in Maryland by books, at least twenty-nine parochial libraries for the clergy, eleven laymen's lending libraries and one provincial library were given to the province by charitable people in England, and were permanently protected against loss by laws passed by the colonial assembly.

This ambitious plan for improving the clergy in the plantations and at home by providing them with collections of theological books was apparently developed by Bray from his own experience as a poor curate. He was born at Marton, a small town in Shropshire, in 1656, and was sent by his family to a grammar school at Oswestry. He did well in his studies and matriculated at Hart-Hall in Oxford on March 12, 1674/5. Before he received his degree, he was forced by lack of funds to leave college, but he was later graduated from All Souls' College and some years afterward was granted the degree of Doctor of Divinity by Magdalen College. After leaving college he took orders and became a curate of a county parish near Bridgeworth in Shropshire. The idea of providing parochial and lending libraries for poor clergymen probably first occurred to him at this time because of the difficulty of purchasing or borrowing the books he needed to continue his studies. Many years later in the preface to *An Account of the Life of the Reverend Mr. John Rawlet* (1728) he told more specifically of the origin of the plan:

[1] The activities of the Rev. Thomas Bray, especially in so far as they related to the American colonies, have been the subject of several studies. Dr. Bernard C. Steiner contributed: "Rev. Thomas Bray and his American Libraries," *American Historical Review*, II (1896), 59-75; "Two Eighteenth Century Missionary Plans," *Sewanee Review*, XI (1903), 289-305; *Rev. Thomas Bray, His Life and Selected Works Relating to Maryland* (Maryland Historical Society Fund Publication 37, 1901), 1-252. Austin B. Keep discussed the Bray libraries in New York in *History of the New York Society Library*, N. Y., 1908. Verner W. Crane showed Bray's relation to the founding of Georgia in *The Southern Frontier*, Durham, 1928. *The Dictionary of National Biography* and *Dictionary of American Biography* contain good short biographies but a full length account is needed. This and the next article in this series are based upon Dr. Bray's manuscript accounts in the Sion College Library and other papers which were not available when Dr. Steiner's article on the Bray libraries was published.



REVEREND THOMAS BRAY, D. D., 1656-1730.

From the portrait owned by the Society for the Propagation of the Gospel in Foreign Parts, London.

On being desired by the Relations of a Neighbouring Clergyman then lately Deceas'd, to look over his Books in Order to their Sale, it was surprising to find him so poorly furnished therewith . . . I found, that whilst Living, he enjoy'd the Use of Two very Considerable Libraries in his Parish . . . It was but Natural on such occasion to Reflect, as on the one Hand, on the Impossibility of many Thousand Vicars and Curates, their enjoying such an Advantage . . . So on the other, the utter Impossibility they should be able to furnish themselves therewith. . . . Upon this Observation and Reflection indeed, was found something of a Plan of making such Provision both of *Parochial* and *Lending Libraries,* before I became acquainted with Mr. *Rawlett's,* and the same was Communicated to such of our Neighbouring Brethren, as were sensible of the Value of Books, who approv'd the Design, and wish'd it a good Success . . .[2]

The John Rawlet of whom Bray wrote was the author of the popular *Christian Monitor,* an essay on preparation for death, which went through many editions at the close of the seventeenth century. Rawlet too had begun his career as a poor clergyman and during his lifetime had gathered a collection of books which he left with most of his property to his native town of Tamworth in Stafford. Bray lived in the neighboring county and made use of the collection. As he later wrote, " . . . indeed it was usual for some of us to Ride even Ten Miles to Borrow out of it the Book we had Occasion for." [3]

Not until several years later did he have an opportunity to put his ideas into practice. In the meantime he rose from the humble position of a county curate to that of chaplain to Sir Thomas Price and later to Lord Digby. While in the employ of Digby, he wrote his *Catechetical Lectures* which were published in 1696. The first edition of 3000 copies was sold within a year and he cleared over £700 from the sale of this popular devotional book. One of the editions was prepared:

More especially designed to be read in the plantations instead of homilies or sermons, whereas there is either no minister to officiate or where the people are at so great a distance from the churches as not to be able to enjoy the benefit of the ordinary preaching and catechising.[4]

Copies of this book were usually included in the parochial and lending libraries and some were sent to clergymen in the colonies for free distribution among their more educated parishioners.

As was, and still is, the case among clergymen, the publication of a book often means more in establishing a reputation than the steady and conscientious fulfillment of the everyday duties of the ministry. In justice to Bray mention should be made of the less

[2] B. C. Steiner, *American Historical Review,* 2 (1896), 61-62.
[3] *Ibid.,* 62.
[4] Title page of third edition. London, 1701.

spectacular part of his career as a clergyman, to which Ralph Thoresby referred in his *Diary* many years later:

> May 15, 1723: Walked to the pious and charitable Dr. Bray's, at Aldgate; was extremely pleased with his many pious, charitable and useful objects . . . May 21, 1723: At Dr. Bray's church the charity children were catechised. Prodigious pains so aged a person takes; he is very mortified to the world; takes abundant pains to have a new church, though he would lose 100£ per annum.[5]

But even before the publication of the *Catechetical Lectures,* Henry Compton, Bishop of London, had detected his worth and ability and selected him to organize and regulate the newly established church in Maryland. The position he was offered was an important one to himself and to the colonies although it meant a financial sacrifice to accept it. One of the first acts of the Protestant Party in Maryland after the reverberations of the Revolution of 1688 were felt was to subdivide the counties into parishes and to establish the Anglican Church with an annual poll tax of forty pounds of tobacco for the support of the clergy. The provisions of the law were not enforced, and when Colonel Francis Nicholson became Governor in 1694, the Assembly passed two supplementary acts which, together with the Act of Establishment, were annulled by the King in Council in 1696 because of legal technicalities.[6] Bray's first duties were to encourage clergymen to go to the colony and later, when the laws were set aside, to propose new legislation and to see that it was acceptable to the King in Council.

Bray accepted the position in 1695 on the condition that the Bishop of London and the Archbishop of Canterbury would ". . . encourage & assist him in providing Parochial Libraries for the Ministers who shou'd be sent . . ." [7] He realized from the start that the only way he could induce clergymen to undertake the long years of isolation

[5] Ralph Thoresby, *Diary,* edited by Joseph Hunter. Quoted in J. H. Overton, *Life in the English Church (1660-1714),* London, 1885.

[6] For a full discussion of the controversy over the Act of Establishment and the subsequent legislation in Maryland see J. W. Thomas, *Chronicles of Colonial Maryland,* Baltimore, 1913, and Percy G. Skirven, *The First Parishes of the Province of Maryland,* Baltimore, 1923.

[7] Steiner, *Rev. Thomas Bray,* 16. "The Short Historical Account of the Life and Designs of Thomas Bray, D. D.," attributed to Richard Rawlinson by Dr. Steiner, was rewritten from the biographical sketch of Bray by "a Member of the Society for the Propagation of the Gospel in Foreign Parts" who has been identified as Samuel Smith, the author of *Publick Spirit illustrated in the Life and Designs of Dr. Bray* (London, 1748 and 1808). Among the papers bequeathed to Sion College Library by Bray and now available in photostats at the Library of Congress are two drafts of a memorial entitled "A Memorial representing the Rise Progress and Issue of Dr. Bray's Missionary Undertaking," the first of which is a rough draft written in the first person and subsequently edited to read in the third person. It is likely that this rough draft which forms the main source of information about Bray was written by him sometime in 1704 or 1705.

in the pioneer colony where they were shut off from the opportunities for intellectual development was to provide libraries for them. Once conceived, the project for parochial libraries in Maryland soon proved so excellent an idea that it was expanded to include all the English speaking plantations and, later, lending libraries for English towns and seaports.[8]

Soon after his appointment he drew up a prospectus for establishing parochial libraries. This, the earliest known printed document in which he set forth his plans for sending libraries to the colonies, was first published in December, 1695. In his Accounts he gives a list of the number of editions, impressions and copies of this cornerstone on which the famous Venerable Societies were later erected:

An Account of Charges in printing Proposals [9]

		£	s	d
Dec: 95	Maryland proposals Composed in small pica ½ Sheets	0	10	0
	Dº Very much afterwards Altered with Additions to make it a whole sheet and several times wrought.....	1	5	0
Jan: 95/6	1 Quire Dº Several great Alterations being made....	0	10	0
March 96	4 Quires Dº at two several times.....	0	6	0
June 96	500 Dº yᵉ fforms being Standing.....	0	6	0
Oct: 96	The Proposals Recomposed and Several times wrought	1	4	0
	Dº more 250 wrought.....	0	4	0
Jan 96	Ditto Recomposed anew it being fallen asunder with lying by so long. Twice wrought.....	1	4	0
July	Ditto more 500.....	0	6	0
Aug 97	Recomposed again and 1 Quire wrought.....	1	0	0
	Ditto: 750 more wrought off at several times.....	0	9	0
	Ditto for ye Religious Societies 500.....	0	6	0
	Ditto more 500.....	0	6	0
	Dº more 500.....	0	6	0
Jan 97/8	Dº Recomposed anew and 1000 wrought at several Times	3	4	0
		11	6	0

[8] Bray's proposals for the establishment of parochial libraries in the colonies apparently influenced the Rev. James Kirkwood to undertake a similar project in Scotland. In 1699, he anonymously published *An Overture for Founding and Maintaining Bibliotecks in every Paroch throughout the Kingdom* in which he made the novel proposal that each minister should turn his library over to the parish as a nucleus to be supplemented by books purchased or printed from a special fund raised by a general tax. Encouraged by his success in providing three thousand copies of the Bible for distribution among the poverty stricken Highlanders, he proposed that a Scotch printing press be established to reprint books desired by the various libraries. Needless to say, his ambitious plans were not carried out but at least one library was started by him. His two tracts were printed in 1906 by A. C. McClurg, edited by John Cotton Dana, as volume IV of *Literature of Libraries in the Seventeenth and Eighteenth Centuries*.

[9] Accounts of Dr. Bray in Manuscripts of Dr. Bray's Associates. S. P. G. Library of Congress transcripts. For a fuller discussion of the importance of this document in the

Over five thousand copies of this document were printed and distributed to solicit funds for libraries to be sent to Maryland.[10] The four page prospectus in its final form contained *Proposals for the Encouragement and Promoting of Religion and Learning in the Foreign Plantations* and *The Present State of the Protestant Religion in Maryland.* The short account of the newly established church in Maryland was written by Sir Thomas Lawrence, Secretary to the Colony.

In the third edition, the earliest of which a copy is known, the first proposal was, " That the Lord Bishop of London be pleas'd to make a catalogue of what particular Books his Lordship shall judge most immediately and necessarily Useful . . ." In the later editions this was changed to, " That a catalogue being [sic] made of what particular Books shall be judged most immediately and necessarily Useful for a Parochial Minister . . ." The change in the wording was a result of the fact that Bray had taken over the preparation of the catalogue. However the Bishop of London was not entirely pleased with Bray's preliminary draft of the *Bibliotheca Parochialis,* as the catalogue was later known. In writing to Colonel Francis Nicholson on January 5, 1695/6, about the condition of the Church in Maryland, the Bishop said:

> What y^r^ Commissary will do, I cannot tell: but I do by no means like his Catalogue of bookes. I hope to have a better drawn up very suddainly. In y^e^ mean time you will do well to consider what sort of Act you will make for his establishment.[11]

The first edition of the *Bibliotheca Parochialis* was published early in the Spring of 1697.[12] It contains a classification of the various fields of theology showing the subjects which should be studied by the clergy and recommending the books to be read. Bray gave away four hundred and fifty copies of the catalogue to interested persons in order to get them to subscribe money for the libraries.[13] The book

history of the religious societies see *Annual Report* 1933-1934 of John Carter Brown Library, pp. 12-16. A comparison of Dr. Bray's accounts with the conclusions reached by Dr. Lawrence C. Wroth from a careful examination of the printed copies of the *Proposals* before the existence of the accounts was known affords an interesting demonstration of the value of the " Bibliographical Way." See John W. Garrett, " Seventeenth Century Books Relating to Maryland," *Maryland Historical Magazine,* XXXIV (1939), 33-34. Number 87 a-i.

[10] There were at least ten distinct editions of this document, copies of six of which are known to have survived.

[11] S. P. G. Misc. unbound documents. Library of Congress transcripts.

[12] Listed in the Hilary Term Catalogue for February 1697. Arber, *The Term Catalogues, 1668-1709,* III, 2.

[13] Dr. Bray's Accounts b, page 30. Library of Congress transcripts.

PROPOSALS

For the Incouragement and Promoting of Religion and Learning in the Foreign Plantations; And to Induce ſuch of the Clergy of this Kingdom, as are Perſons of Sobricty and Abilities, to accept of a Miſſion into thoſe Parts.

WHEREAS the Propagation of the Chriſtian Faith, and the Increaſe of Divine Knowledge, amongſt all ſorts of Perſons in His Majeſty's Foreign Plantations, are the Wiſhes, Deſires, and Prayers, of all Pious and Serious Chriſtians, and ſuch as are zealous of God's Glory, and the Salvation of Mens Souls. AND WHEREAS that Bleſſed Work, next under God, does principally depend upon the Abilities of the Clergy in thoſe Parts, the Exemplarineſs of their Lives, and their Induſtry in Teaching others; WHEREAS ALSO the Clergy, that are already in the Plantations, as well as thoſe who are to be ſent thither, cannot (Humanly ſpeaking) be ſo capable of Informing themſelves, and of Inſtructing others in the deſign of Chriſtianity, in the Nature of the Covenant of Grace, in the Meaning and Importance of the Articles of our moſt Holy Faith, and in the Nature and Extent of all Chriſtian Duties, without the Aſſiſtance of ſome good Commentators upon the Holy Scriptures; and one, at leaſt, or more of thoſe Authors, who have beſt treated upon each, and every of thoſe Points. WHEREAS ALSO for the ſupply of that Want, Men of Parts and addicted to Study, will hardly be induced to leave the Expectations they may have of better Encouragement and Improvement in their Native Country, to go to remote Parts and Climates leſs agreeable, without ſuch Advantages, as will over-balance all Conſiderations inclining them to ſtay at home; and, eſpecially, not without a competent Proviſion of ſuch Books, as are neceſſary for their Studies in thoſe Places where they are to ſerve: Few of them that go over from hence, being able to furniſh themſelves with ſo many Books as they ſhall need. AND, LASTLY, WHEREAS Inſufficiency and Scandal in the Clergy of thoſe places, in all probability, would be moſt ſucceſsfully prevented, both in this and future Ages, ſhould every Parochial Miniſter in the Plantations have a ſufficient Library of well-choſen Books, of all thoſe kinds before-mentioned, in which he might ſpend his time to his own Satisfaction, and with Improvement and Profit to himſelf and others.

TO PROMOTE THEREFORE ſo Bleſſed and Noble an End, as the propagation of Chriſtian Knowledge in thoſe Parts; and as well to encourage thoſe who are there already employed in the Miniſtry, as alſo to invite other able Miniſters over, and to furniſh both, with proper Means for accompliſhing ſo good a Work. IT IS HUMBLY offered to all that are hearty Well-wiſhers to the Souls of Men, and the Honour of their Saviour, to conſider, and as they ſhall ſee Cauſe to favour theſe Propoſals following.

1. THAT the Lord Biſhop of *London* he pleas'd to make a Catalogue of what particular Books his Lordſhip ſhall judge moſt immediately and neceſſarily Uſeful, to make up a ſufficient Library to a Parochial Miniſter in any Plantation, wherewith he may be ſufficiently enabled both to Inform himſelf, and to Inſtruct others, in all the Neceſſary and Eſſential parts of Chriſtianity.

2. THAT ſo many of ſuch Libraries be ſent by the Lord Biſhop of *London*, by the hands of ſuch as his Lordſhip ſhall Commiſſion for that purpoſe, to be Appropriated and Affixed, one to each Pariſh in the Foreign Plantations, particularly thoſe of *Mary-Land* and *Virginia*; and farther as the Fund to be raiſed ſhall enable.

3. THAT every Parochial Library ſhall be affixed in a decent and large Room of the Parſonage-Houſe of ſuch Pariſh, there to remain to the ſole Uſe of the Miniſter thereof for the time being, unto all future Generations, and to be as UNALLIENABLE as any other the Rights and Dues of the Church, which are Aſcertained by Law.

4. THAT

BRAY'S PROSPECTUS FOR ESTABLISHING PAROCHIAL LIBRARIES.

The Earliest Known Copy, Printed in October, 1696.

(*Courtesy of the John Carter Brown Library.*)

was later thoroughly revised and the first volume of a second edition was published in 1707. The second volume was never published. The *Bibliotheca Parochialis* is one of the earliest combined bibliographies and syllabi of theology published in England.

In order to avoid the criticism that charity should begin at home, Bray extended the plan of parochial libraries to include lending libraries in the English towns and market places. Shortly after the appearance of the first edition of *Bibliotheca Parochialis,* he published his *Essay Towards Promoting all Necessary and useful Knowledge* containing an exposition of the idea of lending libraries in England with a list of the first sixty-three titles suggested for purchase.[14] While more than half the volumes were theological works, there were among others: Puffendorf's *Introduction to the History of Europe*; Mazaray's *History of France*; Sir R. Baker's *Chronicle of the Kings of England*; Dr. Gibson's *Anatomy*; Quintinie's *Compleat Gardiner*; and Virgil, Horace, Juvenal and Persius, all in the popular *ad usum Delphini* edition.

In his usual practical manner he worked out all the details involved in starting his lending libraries. After one-third of the cost, amounting to about £30, was subscribed, the books would be sent, packed in wooden book presses containing shelves. The remaining twenty pounds came from subscriptions of the parishioners who were given the privilege of borrowing from the library after they paid. The books were purchased from booksellers who, in consideration of the quantity bought, gave one free copy for every ten bought. The free copy was set aside to make up a parochial library for a clergyman in the colonies. So, to the inducement of providing a lending library for his neighborhood, the subscriber had the satisfaction of knowing that he was doing something toward propagating the gospel in the plantations. The title of the book, the name of the borrower and the date of the loan were entered in a book kept for that purpose. As was the custom in subscription and circulating libraries as late as the middle of the nineteenth century, the borrower was allowed to use a folio for a month, a quarto for a fortnight and an octavo for a week. Once a year the books were inspected by the arch-deacon in whose district they were located.

The number of these lending libraries established by Bray has been variously estimated. According to his Accounts he sent out over sixty collections of books in England and the Isle of Man.[15] In 1852, a query as to the number of libraries protected by the Act of 1708

[14] Listed in the Easter Term Catalogue for May 1697. Arber, III, 16.
[15] Dr. Bray's Accounts a, pages 47-54. Library of Congress transcripts.

brought forth replies from many English deaneries listing the titles of the old books. In 1877, the Library Association of the United Kingdom circularized the English Church and found that there were still one hundred and seventy-six " Dr. Bray Libraries " in existence. Many of these were probably established by Dr. Bray's Associates, an organization founded by him to carry on his work after his death. The following items were prepared and printed by him in connection with the lending libraries:

An account of Charges in proposals and Books for promoting both ye aforesaid Libraries, And other Charges Relating thereunto [16]

	£	s	d
Essays for promoting ye aforesaid Libraries 500 at 4d a piece prime cost	8	6	8
ffor printing and giving ye Sheet proposals for Lending Libraries	2	10	0
ffor printing and giving ye Supplemt to ye Bib: parochialis in Order to Raise parochial Catechetical Libraries	1	10	0
ffor printing and Giving 100 of ye Bibliotheca Catechetica which at 1s prime Cost	5	0	0
ffor printing ye Subscription Role for Lending Libraries and ye Rules for ye preservation of ye same	2	10	0
	19	16	8

On December 19, 1697, he preached a sermon entitled " Apostolick Charity " at St. Paul's in London at the ordination of some missionaries who were going to the colonies, and when it was published a few months later, he added to it " A general view of the English Colonies in America " containing the number of parishes, churches and libraries in each colony. Under the heading of Maryland he wrote that there were:

30 Parishes, but meanly Endow'd, the Country being but lately divided into Parishes, and the Churches but lately built, to the great Charge of the present Governour, Colonel Nicholson, and the Country.

There were sixteen ministers and sixteen parochial libraries at that time. When he drew up his Account in 1702, he listed each library sent to the colonies with its present location, the number of books and the value. The following table shows the location and size of the twenty-eight parochial libraries and one provincial library sent to Maryland.

[16] Dr. Bray's Accounts a, page 54. Library of Congress transcripts.

[From] An account of the Libraries Sent into America and their Respective Value [17]

Place	Number of Books	Value
Annapolis ye Cheif City of the Province	1095	£350: 0:0
St. Marys	314	82: 7:0
Herring Creek	150	48: 0:6
South River	109	34: 3:6
North Sassafras	42	51: 7:6
King and Queens Parish	196	31: 0:0
Christs Church Calvert County	42	31:14:6
All Saints Calvert County	49	21:10:0
St. Pauls Calvert County	106	33:13:0
Great Choptanck Dorchester County	76	2: 8:0
St. Paul Baltimore County	42	33:16:6
Stipney Somerset County	60	21: 3:0
Porto Batto Charles County	30	9:18:6
St. Peters Talbot County	15	12:14:0
St. Michaels Talbot County	13	3: 9:6
All Faiths Calvert County	11	2: 0:0
Nanjemy Charles County	10	1:17:0
Piscatoway Charles County	10	1:17:0
Broad Neck Ann Arundel	10	1:12:0
St. Johns Baltimore	10	1:12:0
St. George Baltimore	10	1:12:0
Kent Island	10	1:12:0
Dorchester Dorchester County	10	1:12:0
Snow Hill Somerset County	10	1:12:0
South Sassafrass Cecil County	10	1:12:0
St. Pauls Kent County	30	6: 3:6
William and Mary Charles County	26	5:11:6
Somerset Somerset County	20	2:19:0
St. Pauls Talbot County	25	4: 5:6
Coventry Somerset County	25	5: 4:8

Libraries sent	Total number of books	Total value
To Maryland	2566	808:07:6
To all other colonies	1504	964:06:0

The actual work of preparing the volumes for shipment was probably done by Bray's secretary. The books were wrapped in paper to protect the cover with its gilt lettering showing the name of the library, and were then packed in wooden boxes. Bray designed these boxes, or book presses as he called them, so that they could be used as book cases on their arrival. They contained shelves and were fitted with locks, bolts and handles. In order that the books should not be

[17] From Manuscripts of Dr. Bray's Associates, S. P. G. Dr. Bray's Accounts a, pages 18-27. Library of Congress transcripts.

damaged by shaking about while in transit, he bought hay to stuff in the corners.[18] The boxes were carted through the streets to the wharves where the vessel was waiting to take them to the New World. On their arrival in Maryland they were first taken to the Governor who divided them and sent them out to the clergymen in the various parishes.

The parochial libraries sent to the colony were safeguarded by several acts of the legislature. The first act was passed September 1696 and, although soon repealed because of its severity, served as a basis for the subsequent legislation. The books were to remain in the possession of the minister of the parish during his residence there and he was required to give a receipt for them to the Governor and Council and to the vestry of the parish. When he left his parish he had to turn over the library to the vestry and to pay for all missing books. Twice a year the vestry inspected the collection and if they neglected this duty or failed to account for missing books, they were subject to a fine of one thousand pounds of tobacco. This feature of the law was repealed by the "Act for Securing the Parochiall Librarys" of July 1699 which appointed Bray "Chief Visitor" of all the libraries in the colony and took the responsibility out of the hands of the vestry.[19] It was impossible for Bray to give the libraries the necessary personal supervision required to protect them from loss since he was in Maryland for only a few months. So he tried to find a clergyman who knew and loved books to serve as librarian for the colony. His friend, Bishop White Kennett, recommended Thomas Hearne, the twenty-four year old graduate of Oxford who had already begun his notable career as an antiquarian and Assistant Keeper of the Bodleian Library. On December 3, 1703, Bishop White Kennett wrote Hearne offering him this position:

For your own sake as well as that of your best friend and Patron Mr. Cherry, I should be always glad to doe you any service, and perhaps now an opportunity does offer. Dr. Bray Commissary to the Bp. of London, for the care of Mary-land and other Western Plantations, having been already to visit those parts and designing another Voyage very shortly, to carry on the good designs of Religion, he has now occasion to send over three or four Missionaries or young, sober Divines, to be there upon Parochial Cures. I mentioned you as a Man of a pious, sober, and studious inclination. For tho' many offer themselves, he receives none but such as he has reason to think are men of probity and conscience. In short, if you think fit to begin the world in those parts I

[18] These details are gleaned from Bray's Accounts, which contain careful record of all the expenses in shipping the libraries, even the cost of the ale he bought the porters when they carried the heavy boxes down "3 pairs of Narrow winding Stairs."

[19] The text of the act is printed in *Archives of Maryland*, XXII, 517-518.

have obtain'd this particular encouragement for you. You shall be ordain'd at the care and charge of Dr. Bray; you shall have a library of 50£ given upon charity to carry with you, shall be immediately in a Cure of 70£ *per Ann.* and by degrees shall be better preferr'd. And besides the Parochial Cure you shall be Librarian to the whole Province, to visit and survey all the publick libraries, that have been lately erected in those parts, for which office beside the Credit and authority of it, you shall have the Salary of 10£ *per Ann.* and the first years payment advanced before you go. When you have been there any time you have liberty to return with money in your pocket, and settle here in England, if you are not more pleas'd with all the good accommodations of that place. I think you can have no objection, but that you must wait the advice and consent of Mr. *Cherry*, as you are bound in all duty and discretion to do. I have upon occasion mentioned such a design to him, and I believe you will find him willing, that you should put yourself into any such course of life, as may suit with your own Inclination, and be for your Interest. I mean only as a friend, and it is with some trouble I have procur'd better terms for you than can be allow'd to any one other that goes with you. Consider of it, and pray God direct you to the best resolutions.[20]

Hearne consulted with his friends and his patron and after receiving their advice he prayed for divine guidance:

O Lord God, Heavenly Father, look down upon me with pity and be pleased to be my guide, now I am importuned to leave the place where I have been educated in the university. And of Thy great goodness I humbly desire Thee to signify to me what is most proper for me to do in this affair.[21]

He made the wise decision to reject the offer which would have taken him so far away from the library resources of Oxford and London. That this pious scholar, whose love of books was so great that at a later date the curators of the Bodleian found the only way to keep him out of the library was to change the locks on the doors, should have been considered for the position of librarian of Maryland, indicates in a marked degree the extent to which Bray was interested in advancing religion and education in the colony.[22]

The Act of 1699 proved to be of little real value in protecting the parochial libraries, because Bray's visit to the colony in 1700 was too brief for him to make a complete survey of the books in the

[20] Quoted in full in *The Lives of those eminent Antiquarians, John Leland, Thomas Hearne, and Anthony a Wood,* Oxford, 1772. v. 1, pt. 2, pp. 8-9.

[21] Eugene Field, *Love Affairs of a Bibliomanic,* New York, 1896. Contains an interesting short account of Hearne, "as glorious a collector as ever felt the divine fire glow within him," pp. 33-34. Hearne enjoys the questionable distinction of being embalmed in Pope's *Dunciad*:

> "But who is he, in closet close ypent,
> Of sober face, with learned dust besprent?
> Right well mine eyes arede the myster wight,
> On parchment scraps y-fed, and Wormius hight."

[22] *The Lives of those eminent Antiquarians,* pp. 18-19.

scattered and isolated parishes, and on his return he had been unsuccessful in finding a good librarian to act as his deputy. Undoubtedly at his request, a third "Act for securing the Parochial Librarys" was passed in September 1704.[23] This act again put the responsibility for the inspection of the books on the vestry and the penalties for neglect were even more severe than in the first act. Informers were rewarded by half of the fourteen hundred pounds of tobacco which the vestry was fined if it was found guilty of not visiting the library twice a year. Any group of vestrymen could sue their minister for the full value of the missing books. In addition to this, the Governor and Council were empowered to appoint special visitors to examine the collections. The vestry books of the early parishes record the regular examination of the libraries. But as the interest in these collections of old theological works lessened and the threat of prosecution for neglect became more remote, the vestrymen gladly forgot about the legal responsibility forced upon them by the far-off Dr. Bray.

Most of the parochial libraries were sent to Maryland when the first incumbents were appointed to the newly established parishes. After 1710, there were practically no large collections of books sent to the colony, because the Bishop of London and the Society for the Propagation of the Gospel felt that the Maryland clergy was well provided through the earlier benefactions of Dr. Bray. Occasionally exceptions were made to this rule after great effort on the part of the local rector and his vestry, as illustrated in the case of Prince George's Parish. George Murdoch had been rector of this parish for only a short time when his house and all of his books were burned. In June 1730 he wrote the Bishop of London:

> . . . Dr. Bray has done much good to Maryland in this affair, viz, in giving & stirring up others to give such good and usefull books to such as want them, But I understand he is dead, Therefore I thought it proper to apply to your Lordship. I am also in great want myself at present, having lost almost all my books by fire, and should take it very kindly, & esteem it as a great favour, if you please to Send to me and my Successors Ministers of our Parish, Dr. Scots Sermons, Mr. Blairs works &c, Dr. Barrows works, Dr. Beveredge his works, & Dr. Tiltsons [sic] works . . .[24]

He received no reply from the Bishop so he asked his vestry to write, hoping that their request might have more effect:

> . . . We humbly Pray your Lordship to Send our Parish a Small Library of Books, some whereof that may be more properly for the use of him, and his

[23] In *Archives of Maryland*, XXVI, pp. 336-7.
[24] Fulham Palace manuscript. Maryland No. 188. Library of Congress trans.

Successours, Ministers of our Parish, and others that may be adapted to the Capacities of the meanest Readers, as he shall Require, or your Lordship Shall Judge most proper. Our Parish is of a very large Extent and all parts of it cannot be Supply'd as it ought to be, and therefore we are in greater necessity of good Books than other Parishes who are more Compact. Most Parishes have Considerable Libraries bestowed upon them by the Society for the Propagation of the Gospel in forreign parts, our Parish is but a new one, not abouve Six Years Old, and Consequently unprovided.[25]

Murdoch wrote again the following year:

. . . as for a Small Library of Books we have no great Reason to Expect them, Because it will be troublesome to you. Only this I beg leave to Say, All the old parishes are pretty well furnished, and So far as I can understand, without any cost to them, Being procured by the Care of Dr. Bray, who Stirred up others to Contribute toward such a good design . . .[26]

The Bishop of London was apparently impressed by the letters for he turned them over to the secretary of the Society for the Propagation of the Gospel. Murdoch was advised that:

The Society after consideration of this matter, have directed me to acquaint you that it is a standing Rule of the society not to send a Library to any but Missionaries; however they have resolved to send a Number of books for the use of your Parishoners, and have agreed to send you four pounds worth of small Tracts, 25 Whole Duty of Man and 25 Common Prayers. These books you will receive with this conveyance, and the society desire you will distribute them in the best manner among the poorer Inhabitants . . .[27]

Maryland clergymen wanting to augment their parochial libraries could of course order the books they needed at their own expense through the local merchant or directly from the London book dealer. But not many clergymen were able to afford the luxury of buying books from their salary. A more convenient method of acquiring books for those who could afford it was offered through the Society for Propagating Christian Knowledge. This organization, not to be confused with the Society for the Propagation of the Gospel, had been founded in 1697 by Bray who, failing in his effort to get money from the Crown to send missionaries and libraries to Maryland, drew up a proposal for a chartered society which would receive and administer gifts from interested persons. His original plan was to have the society select clergymen to be sent to the colonies, to provide parochial libraries for their use, to make special grants to encourage worthy colonial clergymen and to provide for the widows

[25] Fulham Palace manuscript. Maryland No. 34. July 6, 1731.
[26] Fulham Palace manuscript. Maryland No. 35. June 30, 1732.
[27] Rev. David Humphreys to Rev. George Murdoch. London, April 18, 1733. S. P. G. misc. unbound manuscripts. Library of Congress trans.

and children of the colonial clergy. He proposed that in order to strengthen the church at home, this society should establish catechetical libraries in the smaller parishes, provide lending libraries in the market towns and start schools for the education of poor children. When he returned from Maryland he decided that a separate society would be necessary to administer the needs of the colonists. Thus, the Society for the Propagation of the Gospel in Foreign Parts was chartered in 1701 with some of the original functions of the Society for the Propagation of Christian Knowledge. A third organization, "Dr. Bray's Associates," was founded in 1723 to administer an endowment fund for educating Negroes and distributing books. It was from this society that came the parent organization of the group who founded Georgia.[28]

The activities of these three societies were closely related and their specific functions were never clearly separated. However, by the middle of the eighteenth century, the Society for the Propagation of Christian Knowledge had centered its interest on distributing books and providing educational opportunities for poor children. After 1701, its activity in America, with the exception of certain assistance given in Georgia, was limited to sending small collections of books to missionaries, through the Society for the Propagation of the Gospel.

Learning of this service, Henry Addison, a clergyman living on the Potomac River in Maryland, wrote asking to be admitted to membership.

> I have a desire then, Sir, of becoming a Member of the Society for promoting Christian Knowledge; & if I am thought not unworthy, a Subscriber to that Pious Design; but should be glad (if it is not inconsistent with the Rules of the Society) to have such religious Tracts, of those distributed by the Society, as I shall direct annually sent to me to the amount of my Subscription wch I propose to be £2 . . . Not having a Catalogue of the Books & Tracts distributed by the Society . . . I cannot be so particular as I could wish for such I would chuse to have next Year. There being a pretty many of the Church of Rome in my Parish, I could be glad to have some of the most approved Tracts upon Popery, & such as are written to the Level of the meanest Capacities;—particularly some historical accounts of their cruelties towards the Protestants in England and Ireland . . .[29]

There is no record whether he succeeded in his attempt to buy books through membership in the society, but as the request was accompanied with money, we may hope he did.

[28] See Verner W. Crane, *The Southern Frontier, 1670-1732,* Durham, 1928. Chapter XIII, "The philanthropists and the genesis of Georgia." Also see Bernard C. Steiner, "Two Eighteenth Century Missionary Plans," *Sewanee Review,* XI (1903), 289-305.

[29] S. P. G. Misc. Unbound Documents—Maryland. LC Trans.

Although the parochial, provincial and laymen's libraries of Maryland received more attention from Bray than those of any other colony, the lists of books contained in them have not been as well preserved. Among the valuable manuscripts he left to Sion College Library was that entitled "Bibliotheca Americanae Quadripartitae . . . or Catalogues of the Libraries sent into the severall Provinces of America." Unfortunately, libraries sent before 1700 are not listed in it and therefore the most important Maryland collections are omitted. This and many of the other early manuscripts came to light when the cellar of an old building near the Thames was flooded in 1928.[30] It is possible that the catalogs of the early Maryland libraries were destroyed at that time. However, catalogs can be found of the libraries of those parishes whose vestry books have been preserved.

The following list of books sent as a parochial library to St. James Parish in Anne Arundel County in May 1698, affords a representative example of the books sent to the other parishes.[31]

	Bookes In Folio: Twenty:	Place printed att	Yeare printed in
1	Biblia Sacra &c: ab: Imp. Tremellio and Fran. Juno. &c.	Halvona	1603
2	Poli Synopsis Criticorum Vol: 4 in libris 8°	London	1696
3	Dr. Hamond upon ye New Testament	London	1686
4	The Cambridge Concordance	Cambridge	1698
5	Mr Hookers Ecclesiasticall politie in 8 books	London	1682
6	Clementis Recognition: libri 10m &c . . . Opus: Erudition D: Irenai Epis: Lugd: advts: Haeres: &c lib 5	Basil	1526
7	Dr. Jeremiah Taylers: Ductor Dubitantium	London	1660
8	Bishop Pearson: On ye Apostles Creed	London	1683
9	Bishop Sanderson (36 Discourses, life & preface	London	1689
	(21 Discourses	London	1686
10	Philippi a Lamborch &c., Theologia Christiana	Amsterdam	1695
11	A: B: Tillotson's Workes	London	1696
12	The Jesuites Morals by Doctor Tonge	London	1679
13	Du Pins Ecclesiasticall History vol. 7 Bookes 3	London	1696

[30] Article by Hubert W. Peet, "Thames flood injures Maryland relics" in Baltimore *Sun*, March 4, 1928.

[31] Vestry book of St. James Parish; in Maryland Diocesan Library. This list was reprinted without the places of publication in T. C. Gambrall, *Church Life in Colonial Maryland*, Baltimore, 1885, pp. 104-111.

14	A view of universal History from ye Creation to ye yeare 1680 by Fran: Tallents	London	
15	Thomae Aquinatis Summa totius Theologie in 3 parts	Coloniae Agripp.	1622
16	Blomes Geography & Cosmography translated from Varenius, & taken from Mons: Sanson	London	1693
17	Ludon: le Blane Theses Theologicae	London	1683
18	Sr Richd Bakers Cronicle of ye Kings of England	London	1696
19	Q: Sept: Florentis Tertuliani opera ge. Hactenus Reperiri potuerunt omnia	Paris	1590
20	Doct. Bray's Catecheticall Lectures vol. ye 1st or Lectures on ye Church Catechism	London	1697

Bookes In Quarto Marked as above:		Printed att	Printed in ye year
1	Robertson: Thesaurus Grecae linguae	Cambridge	1676
2	Ejusdem Thesaurus linguae Sanctae	London	1680
3	Linguae Romanae luculent: novum Diction:	Cambridge	1693
4	Luijts (Johannis) Introductio ad Geographium	Traject	1692
5	Ejusdem Institutio Astronomica	Traject	1695
6	The Holy Bible With ye Common prayer	Oxford	1696
7	Francisci Turrentini Compendium: Theologiae	Amsterdam	1695
8	Vict: Bithneri Lyra Prophetica	London	1650
9	Dr. Parker's Demonstration of ye law of Nature	London	1681
10	Dr. Bray's Bibliotheca Parochialis	London	1697
11	A: B: Leighton's practicall Commentary on ye First Epistle generall of St. Peter in two vol.	1 att Yorke 2 att London	1693 1694
12	Ejusdem praelectiones Theologica	London	1693
13	Dr: Sherlock: Concerning providences	London	1694
14	Dr: Patricks parable of ye Pilgrime	London	1687
15	Lld: B:p of London-Derry Exposition on ye Ten Commandments With two other Discourses	London	1692
16	A Commonplace Booke to ye Holly Bible	London	1697
17	Dr. Combers Church History Cleared from Rom: forg:	London	1695
18	Jonathan Stolham's Reviler Rebuked	London	1657

	Bookes In Octavo (Viz)	Printed att	Printed in ye yeare
1	An abridgm't of Sir Walter Raleigh's History of ye World in 5 bookes	London	1698
2	The B: p: of Bath and Wells Commentary on ye 5 bookes of Moses in two volumes	London	1694
3	Dr. Sherlock on Death & Judgment	London	1694
4	Lovis le Comptes Memoires & observations	London	1697
5	The Workes of ye Author of ye Whole Dutty of man in two volumes	London	1697
6	Fran: Palaeopolitanus Divine Dialogues 2 volumes	London	1668
7	The Septuagint &c. two volumes	Cambridge	1665
8	Sanct Salvianus De Gubernatione Dei &c.	Oxonia	1683
9	Elis de Articulis: 39 Ecclesiae Anglicanae	Amsterdam	1696
10	The plaine man's Guide to heaven	London	1697
11	B: p: King concerning ye Invention of men in ye Worship of God	London	169–
12	The Christian Monitor	London	169–
13	Lacantii opera omnia	Cambridge	168–
14	Epis: Sanderson de Obligatione Conscientiae	London	169–
15	Idem de Juramento promission	London	164–
16	Daniel Williams of Gospell Truth	London	1695
17	Nath. Spinckes of Trust in God	London	1696
18	Reflections upon ye Bookes of Holly Scripture, 2 volumes	London	1688
19	Mr. Dodwell's two letters of advice	London	1691
20	Xenophon de Institutione Cyrii Graece	London	1698
21	Henipin's New discovery of America	London	1698
22	Dr. Bate's Harmony of ye Divine attributes	London	1697
23	A: B: Leighton's Discourses	London	1692
24	Dr. Comber on ye Com'on Prayer	London	1688
25	An Inquirey after Happiness part ye 1st	London	1696
	An Inquirey after Happiness part ye 2nd	London	1696
26	Part ye third by ye author of practicall Christianity	London	1697
27	Dr. Scott's Christian life, part ye first	London	1692
	vol. 1st' part ye Second of	London	1694
	vol ye Second	London	1695
28	Dr. Connant's Discourses 2 vols	London	1697
29	Grotius de jure Belli et Pacis	Amsterdam	1651
30	Dr. Busbig's Graecae Gramatices Rudiment	London	1693

	Bookes In Octavo (Viz)	Printed att	Printed in ye yeare
31	Dr. Jerem. Taylor of Holly Living and Dying	London	1695
32	Rays's Wisdom of God in ye Workes of Creation	London	1692
33	Dr. pierce pacificator: Orthodoxo Theolog: Corpuscul:	London	1692
34	B: p: Burnets pastorall Care	London	1692
35	P: Lombardi Sententiarum libri 4o: Co	Coloniae Agrip	1609
36	Doctor Stradlings Discourses	London	1692
37	Theoph: Dorington's family devotion, 4 vols.	London	1695
38	Amesius de Conscientia	Amsterdam	1635
39	Dr. Bray of ye Baptismal Covenant	London	1697
40	Dr. Falkner's Vindication of Liturgies	London	1681
41	his Libertas Ecclesiastica	London	1683
42	Ye B: p: of Bath & Wells on ye Church Catechism	London	1686
43	Clerici Ars Critica	London	1698
44	Doct Barron on ye Apostles Creed &c.	London	1697
45	The Snake In ye Grass	London	1698
46	B: p: Stillingfleet Concerning Christs Satisfaction	London	1697
47	His vindication on ye Doctrine of ye Trinity	London	1697
48	his Discourses 2 volumes	London	1697
49	A Discourse concerning Lent in 2 parts	London	1696
50	William Wilson of Religion and ye Resurrection	London	1694
51	Dr. Ashton Concerning Death bed Repentance	London	1696
52	H. Stephani Catechismus Graeco Latinus	Havoniae	1604
53	Biblia Vulgata p. Robertun Stephanum		1555
54	The Life and Meditations of M: A: Antonius R: Emp:	London	1692
55	Abbadies Vindication of ye Trueth of Xtian Religion part 1st	London	1694
	Part ye second	London	1698
56	The practicall believer in Two parts	London	1688
57	Wingates Arithmatick	London	1694
58	Sr: Math: Hales Contemplations Morall and Divine in 2 parts	London	1695
59	Fran: Buggs picture of Quakerism in 2 parts	London	1697
60	W. A. of Divine Assistance	London	1698
	his Christian Justification Stated	London	1678
	his Animadversions on ye pte of Robt Ferguson's Book, (entitled) ye Interest of Reason in Religion which treats of Justification	London	1676

	Bookes In Octavo (Viz)	Printed att	Printed in ye yeare
61	His Serious and friendly Address to ye Nonconformists	London	1695
	His State of ye Church In Future ages	London	1682
62	The mistery of Iniquity unfolded	London	1675
	W: A:'s Catholicisme	London	1685
	the Danger of Enthusiasm Discovered	London	1674
63	W: A: of Humility	London	1681
	of ye Nature, series and order of occurrances	London	1684
	His pursuasion to Peace and Unity among Xtians	London	1680
64	the first	London	1698
65	the second volum; of A B:p: Tillotson's	London	1696
66	the third Discourses pub. by Dr. Baker	London	1696
67	the fourth	London	1697
68	Dr. Tillotson's Rule of faith	London	1670
	Dr. Stillingfleet's Reply to J. S. 3rd Appendix &c.	London	1678
69	The Unreasonable of Atheisme made Manifest	London	1669
70	Dr. Hammond de Confirmatione	Oxon	1665
71	Dr. Wake Concerning Swearing, Duplicate	London	1696
72	His Discourses on Several Occasions	London	1697
73	Dr. Cockburn's Fifteen Discourses	London	169–
74	Ascetecks, or ye Heroick vertue of ye Ancient Christian Anchorites and Caenobites	London	1691
	Theologica Mistica: 2 Discourses Concerning Devine Communications to Souls Duly Disposed	London	1697
75	Doctor Goodman Seven Discourses	London	1697
76	Dr. Hornecks Severall Discourses upon ye 5th Chapt. of Mathew Vol ye first	London	1698
77	Dr. Pelling's Discourse upon Humility	London	1694
78	Concerning Holliness	London	1695
79	Concerning ye Existence of God	London	1696
80	Jno. Ketlewells Help and Exhortation to Worthy Communication	London	1696
81	His Five Discourses on Practicall Religion	London	1696
82	His Measures of Christian Obedience	London	1696
83	Dr. Hody of ye Resurrection of ye Same Body	London	1694
84	Grotius de Veritate Religionis Christians	Oxon	1675

Bookes in Octavo (Viz)		Printed att	Printed in ye yeare
85	Mr. John Edwards' Thoughts Concerning ye Severall Causes and Occasions of Atheism	London	1695
86	His Socinianism unmasked	London	1696
87	His Discourse Concerning ye Authority, Stile, & perfection, of ye old, & new Testament In three vol	London	1696

Several additions to the St. James Parish library were listed in the vestry book. On June 5, 1703, the laymen's library was received and a few years later several additional titles were added to the parochial library. In 1709 James Rigbie, a vestryman, gave twenty pounds sterling " to be laid out in good and godly books." Although the vestry book does not show whether this bequest was carried out, it indicates that the value of books in the religious life of the church was recognized by some of the congregation. The parochial library was frequently visited by the vestry and in 1748 they made a written inventory of the books. Finding that some of the books were missing they " Order'd that the Regr. set up advertisement to desire all Persons having any of the Books belonging to the Library of this Parish to Return the Same Speedily." [32]

The parochial libraries founded by the Rev. Thomas Bray of which the St. James Parish library is typical contained, as might be expected, a great preponderance of theological literature. The clergymen who enjoyed the use of these libraries in most cases owned books on other subjects which could be used to supplement their theological reading and helped to diversify their interests.[33] Although the parochial libraries were used by only a very small minority of the population, their significance should not be underestimated. The reading of the clergy was reflected in their sermons and private conversation so that in an indirect way the parochial libraries, by making books available to clergymen without adequate means to purchase them, helped to raise the general level of culture in the colony.[34] The account of the contributions of Dr. Bray to the literary culture of Maryland is not complete without reference to the establishment of laymen's libraries and the Bibliotheca Annapolitina, the provincial library at Annapolis.[35]

[32] Vestry Book of St. James Parish, page 211. Maryland Diocesan Library.

[33] The private libraries of Maryland clergymen as revealed in the inventories of their estates and in their correspondence will be described in a subsequent article, " The Reading Interests of the Professional Classes in Colonial Maryland, 1700-1776."

[34] The commonplace book of the Rev. William Brogden, of All Hallow's Parish in Anne Arundel County, and the few manuscript sermons preserved in the Maryland Diocesan Library contain references revealing the extent to which reading was used in sermons.

[35] These libraries will be described in the next article in this series.

"BALTIMORE'S YESTERDAYS"

AN EXHIBITION AT THE MUNICIPAL MUSEUM, SEPTEMBER TO FEBRUARY

By T. EDWARD HAMBLETON

Since the first plan for an exhibition of Baltimore's past was presented to the Trustees of the Municipal Museum, it has transformed itself a thousand times. There was first the idea—to present Baltimore's history not to the scholar or the antiquary but to the average Baltimorean, in such a fascinating manner that he would feel the vitality and flavor of each period from the laying out of the town to the present day. But the committee who proposed this first plan was far more full of the idea than of the technique of preparing an exhibition. It was proposed to show the visit of Lafayette to the city in 1824, so admirably described by J. H. B. Latrobe, until it was found no pictorial record existed and a like problem brought to an impasse a reconstruction of the Betsy Patterson-Jerome Bonaparte nuptials. But a great number of events such as the riots of the fifties had quite escaped the members of the committee and slowly, with the continual help and criticism of Mr. James, director of the Museum, a plan evolved from the idea which has gradually become articulate.

No building in the city could be a happier choice to house such an exhibition than the Municipal Museum, for the place is not only a period piece to begin with but is as full of associations with the past as any structure in Baltimore. As to material, the budget precluded dioramas, excepting one, a specific gift, and lack of space ruled out period rooms excepting the large gallery on the second floor already decorated in the late Federal period. The material consisted mainly of oils, prints, broadsides, and models belonging to the Museum, the Maryland Historical Society and private collections, and this became the substance of the show. The question remained as to the correct method of integrating the material, for however charming a print or interesting a broadside, it lacks significance unless it bears a relation to other material around it, unless of course the spectator is able to supply these associations himself. With this idea in mind, one of the more gifted members of the committee produced a scale model of Baltimore in 1790 founded on Folie's map. Here was the frame for the first room. With the model in the centre it becomes possible to give life to the material by showing contemporary views of the houses on the map, the men and women who

lived in them, the newspapers they read, the political broadsides they found nailed up at the market place, the invitations to dances they attended, and the rules they made for the Assembly. In such company William Goddard's Declaration of Independence and Mary Goddard's news of peace in '83 take on the same contemporary excitement they had when they were spot news to earlier Baltimoreans troubled with numerous annoyances that curse our advanced society and tasting pleasures much like the ones it is sometimes our good fortune to enjoy.

Now came the problem of the gallery, which was happily transformed at the time of the regeneration of the Museum into a ball room of the period of the second war with England. Thus making a virtue of necessity it was decided to furnish the room as that of some wealthy merchant of Baltimore in 1815. This gives variety, and a certain perspective is kept for the room itself by hanging the walls with such contemporary material as Benjamin Latrobe's elevations of the Exchange and the Cathedral and J. H. B. Latrobe's drawings which illustrate Lucas' *Picture of Baltimore.* Then, believing this merchant to have some spark of patriotism, prints of the Battle of North Point and a contemporary edition of the Star Spangled Banner are added just to remind the casual spectator that this man probably shook in his boots when a volunteer on that memorable fourteenth of September in 1814 at Fort McHenry.

In the next room time skips on into the thirties and forties and here a diorama of the harbor presents the key to the period. The busy picture of the harbor filled with commerce moving from Baltimore to China, Baltimore to Liverpool, Baltimore to Charleston with the merchants, the sailors, the clerks, and the hangers on brings to life the two Bennett views and the Köllner scenes of the monument, the hospital, the City Springs and the rest. But this is only a partial view of the period. Charming ladies looked at fashion plates such as those on the wall and perhaps copied them, while the gentlemen had their tailors make up coats and trousers to such patterns as may be seen near by the ladies' fashions.

Now in chronological order come the high lights of the day—the catalogue of Rembrandt Peale's exhibition in this same museum with his Court of Death, the wonder of the age, directly above it, then the railroad march which heralded the corner-stone laying of the B. & O. and the Endicott and Swett views of the early right of way; the young Whig convention of '44 with a general view of Canton race course where it was held, a portrait of the hero of the occasion, Henry Clay, and a poster giving full directions as to the route of

the parade to Canton; finally the Mexican War, brought close to Baltimore by the intrepid ponies of the Sun-papers, together with the death of the gallant Major Ringgold. All of it and more besides to prove that life was as full when "Old Moses" was peddling water ice as it is today.

Forward the exhibition drives to the fifties, stopping long enough to show a number of views of the city and then hurrying on to a broadside telling in no uncertain terms that Whigs have been pipe-laying to the detriment of all good Democrats. But since there is much to be said on both sides a cartoon follows accusing Mayor Swann of bringing in "Irishmen and other riffraff" to vote the Democratic ticket. There is the Sun Iron building standing out darkly, a product of Mr. Abell's enterprise, and under it an extra commenting on the regrettable incident at Harper's Ferry. Here are lovely ladies playing croquet and swimming in the sea and men sitting in oyster houses and discussing the state of affairs of a desperate country. Somehow, too, there is a feeling of waiting for the wrath to come.

Now events follow quickly on each other—Lincoln's clandestine trip through Baltimore, the fight in Pratt Street, the appeal to the citizens for the defense of the city against Federal troops at Cockeysville and finally domination by Union soldiers. All of this has happened within two months and the long war years begin with Federal Hill fortified, the iron-clad *Eutaw* at the foot of Pratt Street, and an oath to be taken by any citizens who choose to vote. In spite of the excitement in '63 with barricades in Saratoga Street and Colonel Johnson's appeal to join the Confederacy, the war comes to an end and the Freedmen begin to drift into the city. The decade closes with the disastrous flood of Jones Falls and, on a lighter note, with the masquerade ball in the Assembly Rooms. None of this is dead stuff; it is as alive as the men once were who posted the proclamation to the citizens of Baltimore to rally to their city's aid or Johnson in his appeal to the young men urging that they shake off the shackles of tyranny. But after so much in two dimensions there comes a need for three and with an appreciation of this a full-size reproduction of Mayor George William Brown's office in this same building is shown as it might have looked on the night of the attack on the Massachusetts troops.

The march of time continues with a picture of the city in the seventies, Druid Hill Park, the new City Hall and the Sesquicentennial. Another full-size room shows the bridal suite in a Bay Line Boat as it might have looked to a young couple bound for Old

Point Comfort on their honeymoon. Now there come the Oriole Festivals and the theatres, Pimlico and fox hunting, and at last the banner-winning Orioles of '96. Events pass quickly with the Spanish War and the fire until the end comes with an extra shouting " Peace! "—to end the war which made the world safe for democracy.

The sequence has inherent interest and color but this is immensely heightened by the progression of events and the interrelation of seemingly irrelevant sidelights. The whole attempts to tell its story thru the material without titles or catalogue but since such an attempt often becomes a mere *tour de force* there is a running story of the city, a kind of text on each wall which the material illustrates, explaining each period as a whole rather than the specific items.

Equally important with the general history is the mercantile, manufacturing and financial story of the city which follows a narrower line but is handled in much the same way. Here again is a series of pictures showing in greater detail the first mills, the Conestoga wagons, the need of keeping the western trade and the establishment of the B. & O. As the years go by the picture changes—certain industries rise and others drop out, methods of business give place to others, inventions change the entire picture of communication. All of this has glamour and excitement. It does not attempt to mould the pictures into a series of morals or solutions but only to present at the end the complete and amazing picture of what made the city of Baltimore.

Here is an exhibition which will run for six months at the Municipal Museum, representing an attempt to show Baltimore's past as it was, that the present citizens may gain a certain perspective from it and, without slavishly following tradition, find new strength in it. The work has been full of enthusiasm, some of which, it is hoped, will seep into the exhibit. Perhaps there may arise from it a more vital interest on the part of the city and on the part of the citizens in some permanent exhibition which will revivify the richness of Baltimore's tradition that lies locked away in her libraries and monuments.

SHIPS AND SHIPPING OF SEVENTEENTH CENTURY MARYLAND

By V. J. WYCKOFF

(Continued from Vol. XXXIV, page 63)

1675-1700

Shipping in Maryland. Even with the fourth quarter of the century under way detailed information about the maritime activities of Maryland remained rather scarce up to the last decade. To be sure England was regulating trade under the Navigation Acts, but until administrative control became centered in the Board of Trade in 1696 data of a statistical sort at least for Maryland were fragmentary. The several sources for material include first, a number of reports under different titles relating to the handling of navigation bonds in the province with a total of 229 vessels from which 194 are used in the subsequent tables. Those items are scattered with no uniformity over the years 1679 through 1696.[102] The second source is the valuable "List of Ships Trading the Maryland from 30 Apr. 1689 to 1693," containing a net number of 248 vessels with the most complete returns for the years 1690, 1691, 1692.[103] The third major ref-

[102] British Public Records Office, Colonial Office Papers, 5: 714, ff. 86-93, MS (photostats, Library of Congress; hereafter cited as P. R. O., C. O.). The titles of the lists follow: "A List of Navigation Bonds Sued in his Majesty's Prov[incia]ll Court in Maryland and upon which Judgements are obtained," ff. 86v, 86; there were 28 ships listed giving the name of the securities, the masters, the ships, and date of bonds. This list bore an endorsement "No. 5" which probably referred to the numbering given by Governor Nicholson of Maryland when he sent the information to the Board of Trade, March 25, 1697, *Archives,* XXIII, 88. The second list was titled "List of Bonds taken in Maryland and for which Legal Certificates have been produced," f. 87; there were 60 items with incomplete information about 1. The columns covered the dates of bonds, names of vessels, masters, securities, date of certificate which discharged the bond, name of place where the certificate was discharged, date when the certificate was filed in discharge of bond; this list was endorsed "No. 7." Next was a "List of Navigation Bonds taken in the Province of Maryland in Discharge of which no Cert[ificates] yett [March, 1697] produced," ff. 88, 89, 90, 91, 93; there were 114 ships listed, a major and minor list, with incomplete information about 1. The column headings were dates of bonds, names of ships and home ports, masters's names, securities and location; this list bore an endorsement "No. 6" which also covered the next two lists. Then "A List of Navigation Bonds for which no Certificates produced and on which Declarations drawne," f. 90, containing 19 ships under the headings: dates of bonds, name of vessels and home ports, names of masters, securities and location. The last is "A List of Navigation Bonds Principals nor securityes to be found," f. 91, containing the names of 6 vessels for which the masters or securities in 4 cases were dead or insolvent, or dead and the estates insolvent. The columns have the dates of the bonds, vessel names and ports, masters, securities and places. Of the 229 vessels the information for 2 is too incomplete to use, and 33 of the 227 seems identical with the entries on the next list, the "Maryland Miscellaneous," leaving a usable balance of 194 vessels. These reports will be referred to in this article as the "Navig. Bonds" lists.

[103] Filed under "Maryland, Miscellaneous," MS (photostats, Library of Congress). It was endorsed "Re^{cd} 25 Apr. 1694 from my Lord Baltemore." There were 249 items but one ship was duplicated. This list will be referred to as the "Md. Miscell."

erence is the competent study, *Colonial Trade of Maryland, 1689-1715*, by Margaret Shove Morriss who for a number of statistical tables drew directly upon British manuscripts not available in this country.[104] Finally, supplementary data have come from other printed and manuscript archives of England and Maryland.[105]

An estimate was made in this article of 70 to 80 vessels trading in Maryland waters during the seventh decade and there was an official report for 1672 which stated that 81 ships cleared that year. The same procedure of estimation when applied to figures available for the ninth decade increases the average a trifle by placing the median at 80 vessels a year excluding, of course, the boats in local commerce.[106] Only by remembering that the result of 80 vessels is an approximated average can it be reconciled with the apparent deci-

[104] J. H. U. Studies, XXXII, no. 3. This source will be referred to as "Morriss."

[105] A careful check by inspection or correspondence of the major eastern university and historical society libraries and the Huntington Library has disclosed no further information of importance for the maritime activities of Maryland during the seventeenth century.

[106] London imports of tobacco seem to have been from 11½ million to 14½ million pounds of tobacco a year. One source gave the following amounts of tobacco from the "English Plantations" which predominantly were Maryland and Virginia:

Midsummer, 1685, to Michalmas, 1685, ... 4,891,509 lbs.
Michalmas, 1685, to Michalmas, 1686, ...14,514,513 lbs.
Michalmas, 1686, to Michalmas, 1687, ...14,067,177 lbs.
Michalmas, 1687, to Michalmas, 1688, ...14,874,359 lbs.

The out-ports in 6 years ending 1688 and omitting 1685 imported a total of 80,970,033½ lbs. which though not designated must have come predominantly from the colonies, Spanish leaf being negligible, averaging for London 15,000 lbs. for the years 1686-1688. Thus the yearly average of the out-ports' tobacco traffic was 13,481,672, Sloane MSS, no. 1815, ff. 35, 37. In 1689 the London imports were 14,392,635 lbs. with about the same amounts for 1690-1692, Harleian MSS, no. 1238, f. 31, British Museum, (transcripts, Library of Congress). But from another source smaller totals appeared: the Custom House, November 28, 1689, gave to Sir Robert Southwell a rough estimate of London imports of tobacco for three years, 1687 had 12,050,000 lbs., 1688, 11,840,000 lbs., and 1689, 11,646,600 lbs. Sir Robert in a note to Robert Povey considered the 1689 figures "exact" and said that the quantity received "at other ports of England" was about 1/3 more, i. e., 3,882,200 lbs., giving the total for London and out-ports of 15,528,800 lbs., *C. C. P.*, 1689-1692, nos. 594, 595. The phrase "other ports" is vague and possibly did not cover all the places. Alfred Rive accepted the average of 14 million pounds of tobacco as London imports for 1689-1693, *Economic History*, I, 61.

Assuming that during the 9th decade the total tobacco imports of Great Britain averaged about 27,500,000 lbs. of leaf, and 500 lbs. to a hogshead (my estimate based on the increase in the legal sizes for hhds.) the result would have been 55,000 hhds. Allowing 280-300 hhds. to a vessel an estimate of 200 vessels was secured plus 10 per cent. for unrecorded shipments. Of the total Maryland's share was between 36 and 40 per cent., or an average of 80 ships, with a range of 75-80, which I believe a conservative estimate.

Some question might be raised about assigning to Maryland little more than one-third of the tobacco fleets from Maryland and Virginia, but several sources of information confirm the percentages, Morriss, pp. 33-34; Bruce I, 456; Leo F. Stock, *Proceedings and Debates of the British Parliaments respecting North America*, Carnegie Institute, 1924-1930, III, 3, 71, 355. However, by 1740 one source of information about commerce showed that of some 200 ships annually employed in the trade with the same two colonies, 100-110 sailed from Maryland, Anderson, *Origin of Commerce*, III, 496.

mation of shipping in 1689 as far as direct records for Maryland are concerned which showed 15-16 ships entering the province.[107] However, incomplete records must be the answer, because the British tobacco imports for the year given in note 106 are not out of alignment. To be sure that was a period of major political disturbance for the colony with Lord Baltimore's charter rights being challenged in the palatinate and in England; and a new war with France had broken out. But nature and economic necessity do not readily yield to questions of political sovereignty.

For 1690 the totals from different sources are more similar. Morriss indicated 49-52 vessels; the "Md. Miscell." entries number 70 which seem more reasonable and with an allowance for illegal trading would have registered nearer 80 ships.[108] There is no need at this time to present the details of calculation for each of the subsequent years of the tenth decade. The methods are the same, so are the sources supplemented with an occasional official item from British and colonial archives. Table I contains the results.

Ship-building in Maryland. There was no official recognition of the accomplished fact of the building of ships in Maryland until the last two decades of the century. To be sure a reference here and there from the days of Kent Island has been mentioned, and one may feel sure that the individual planters supplied themselves with the necessary small boats for personal transportation and for handling tobacco and goods between the shores and the channels where lay the ocean going ships. Mild encouragement had come from the various tonnage or port duty acts which contained exemptions or reductions of fees for vessels that belonged to the province. But no emphasis upon ship-building was found until the discussion of the

[107] The "Md. Miscell." list with no returns for the first quarter of 1689 gave a total of 16 scattered items. The various "Navig. Bond" returns had 15 which may be doubled because from available sources more than half the masters gave bond elsewhere. Morriss had 10-14 vessels, but gave an average of 72 for the years 1692-1699 "when the lists are more nearly complete," pp. 85-86.

[108] To support the estimate of at least 70 vessels in Maryland one could divide the number of hhds. exported from the colony by the average cargo per ship, which gave a range of 67-72 vessels, Morriss, pp. 31-33, 85; "Md. Miscell."

Confusion in using information about maritime activities at that period could arise on several points. First, the number of vessels sailing in one fleet with or without a convoy was but a part of the shipping for a year: e. g., 52 ships to Maryland and Virginia, *C. C. P.*, 1699, addenda nos. 1210-1211; 46 ships for the two colonies, *ibid.*, no. 1272. Second, although many ships arrived in the early months of the year, as many came after June during the period 1690-1692, and there was no reason to regard those years as peculiar: e. g., the English Treasury ordered the Customs to release 34 ships for Maryland and Virginia, Jan. 31, 1690, to sail under convoy, *Calendar Treasury Books*, 1689-1692, pp. 478-479; information on dates for entering and clearing will be given in Table VII. Third, a reference to a certain number of vessels in Maryland waters was neither inclusive nor for the whole year unless so stated.

tonnage act by the August, 1681, Assembly.[109] It has been suggested that the indifference toward ship construction had a certain amount of reason behind it. Tobacco and profits from merchandise disposed of in the colony were sufficient incentives for ship masters to come; therefore, why build vessels and divert efforts from the more

TABLE I. ESTIMATE OF THE NUMBER OF SHIPS TRADING IN MARYLAND

Year	Number of Ships		Year	Number of Ships	
	Morriss	Wyckoff		Morriss	Wyckoff
1689.....	10–14 [1]	50–60 [2]	1695.....	71	85–95
1690.....	49–52 [1]	75–85 [2]	1696.....	60	55–65 [5]
1691.....	15–16 [1]	95–105 [3]	1697.....	79	105–115
1692.....	81–89	90–100 [3]	1698.....	73	90–100
1693.....	56–59	80–90 [4]	1699.....	98	95–105 [6]
1694.....	44–47	50–60			

1. Morriss considered the returns for 1692-1699 " more nearly complete," and " where two figures are given for a year it indicates that the place of ownership of several vessels is not stated, although the probability is that they were from English ports. If they are counted, the larger figure is correct for each year." Pp. 85-86.

2. These estimates were just discussed.

3. These figures were based primarily on the " Md. Miscell." list. There was a trader's note, dated December, 1691, that because of crop failures in 1691 only 2-3 of the 50-60 ships would sail within less than three months, *C. C. P.*, 1689-1692, no. 1951. The spring fleet of some 50 vessels had departed by June, 1691, and the trader's figures of 50-60 agreed with the " entries " for Maryland from May to December on the " Md. Miscell." list.

4. The years 1693-1699 were not covered adequately by the " Md. Miscell." list, so my estimates were based largely on the figures by Morriss taken from the official records of the number of hogsheads shipped from the three naval officer districts of the colony, with an allowance for illegal and bulk tobacco.

5. Supplementary data: in May, 22 masters petitioned to clear and in December, 32 masters asked delay; although there were probably a few duplicates in those figures the total was definitely above 50 vessels, *Archives*, XIX, 297-298; XX, 557-558.

6. Supplementary data: accounts filed by George Plater, collector for the Patuxent District including Annapolis and Williamstadt, for the year 1699 or a broken period of approximately the same length showed 68 vessels, Additional Manuscripts, no. 9747, f. 13-15, British Museum (transcripts, Library of Congress). Those three ports handled about 84 per cent. of the recorded hogsheads for 1699, Morriss, p. 34. Another record with dates starting September-November, 1698, and running for 12 months and including the Pocomoke District gave 93 vessels, Sloane MSS, no. 2902, ff. 284-287.

congenial and apparently indigenous occupation of tobacco cultivation. But vessels did not always appear when wanted; nor were they always available on terms acceptable to the planters. Furthermore, certain counties of Maryland by the end of the seventeenth

[109] The Lower House reminded the Upper House " That Whereas the Building of Ships and Vessels in this Province *will be* of very great Concern to the Augmenting of Trade and many ways to the Publick Good and Benefit of this Province and People thereof," they proposed that vessels built in or belonging to the province should not have to pay port duties. Nothing definite was done at that time. *Archives*, VII, 144, (italics mine). For the tonnage acts, see above, note 63.

century were tiring of the vagaries of tobacco prices and one-crop agriculture. The Eastern Shore in particular began to think in terms of grains, and the Scotch-Irish in that area turned with increasing concentration to the making of woolens and linens from domestic raw supplies.[110] Building of boats and ships was another way for the people to free themselves from too great dependence both upon one product and also upon one source of ocean transportation.

Official acknowledgment of the desirability of local ship-building came again in the October session of the 1695 Maryland Assembly when a member of the Upper House presented "a certain paper of proposalls . . . put in for Encouragem[t] of building small Ships and Vessells, the which were approved of" and ordered to be laid before the Burgesses.[111] The fate of that particular proposal is in doubt. Possibly it was expressed in an exemption of Maryland built and owned vessels from the 4 pence duty on imported liquors (except those from England) which law was passed by the 1694 Assembly and reaffirmed by the one of 1695.[112]

But there is definite evidence that some building of vessels was already under way:

> In obediance to an Ord[r] of his Exc[y] the Gov[r] and Council bearing date the 28th day of May 1697, Commanding the sever[ll] Sheriffs of this Province to make strict enquiry of what Shipps and Vessels trading to Sea have been built within their respective Countys since his Maj[tys] happy Reign, as also what Sloops and Shallops to the Country belong, and what are now building, together with the number of seafaring men. Pursuant whereto they make their Returns vizt.:

That was the beginning of the only detailed official information about ship-building in the colony during the seventeenth century.[113] For convenience the data have been summarized in Tables II, a and b.

[110] *C. C. P.*, 1693-1696, no. 1916.

[111] *Archives*, XIX, 227. Ten years before this the English Parliament had become concerned over the "more than ordinary Decay in Building Shipps in England," and passed an act imposing a five shilling per ton additional duty on all foreign built vessels trading in English ports, not applicable to ships made free, *Statutes of the Realm*, 1 Jac. II. c. 18 (VI, 20-21).

[112] The 1692 act for liquor duties had not exempted Maryland vessels, *Archives*, XIII, 466. By some authorities there was uncertainty about the reenactment of a similar law in 1694 because it was not formally presented in the journals, but the evidence for it seemed adequate: it was listed as a law in the discussions of the Upper House (*ibid.*, XIX, 89), though not in the acts regularly appearing at the end of the journal, and the editors of the *Archives* indexed it as one of the bills "which seem to have passed, though the text is not in our records." *Ibid.*, p. 611. However, Bacon gave the liquor duty as a law; and in the 1695 Assembly discussion of a bill to exempt provincial vessels there was evidence of the validity of the 1694 measure, *ibid.*, 134, 224, 229, 247-248, 253; Bacon, *Laws of Maryland at Large*, Annapolis, 1765, chs. XIX, XX.

[113] *Archives*, XXV, 595-601; P. R. O., C. O. 5: 714, ff. 212-215, which references also cover the data in Tables II, a, b.

TABLE II, a. SHIP-BUILDING AND OWNERSHIP IN MARYLAND COUNTIES, 1689-1697

	Number of Vessels, Western Shore Counties						Number of Vessels, Eastern Shore Counties					
	Anne Arun.	Baltimore	Calvert	Charles	Pr. Geo.	St. Mary's	Cecil	Dorchester	Kent	Somerset	Talbot	Total
Vessels built or building:												
Shallops	–	–	–	–	–	–	–	–	–	12	–	12
Sloops	8	–	–	–	2	1	–	–	1	12	13	37
Pinks	–	–	–	–	–	–	–	–	–	–	5	5
Brigs	2	–	–	–	1	–	–	1	1	–	1	6
Ships	1	–	–	–	–	1	–	–	4	4	3 [1]	13
Total	11	0	0	0	3	2	0	1	6	28	22	73
Vessels bought or origin not given:												
Shallops	11	–	4	5	–	4	6	3	1	–	7	41
Sloops	–	–	8	3	1	5	1	6	3	–	6	33
Pinks	–	–	–	–	–	–	–	–	–	–	1	1
Brigs	2	–	–	–	–	–	1	2	–	–	1	6
Ships	3	3	–	–	–	3	–	–	–	–	2	11
Total	16	3	12	8	1	12	8	11	4	0	17	92
Maryland vessels, Total	27	3	12	8	4	14	8	12	10 [2]	28	39	165
Seafaring men	10 [3]	–	–	5	3	10	–	–	8 [4]	2	6	44

1. One of these ships was of 300 tons, another 450 tons.
2. There was one more vessel which could not be accurately classified.
3. Three of these men were commanders, seven "apprentices."
4. There were twenty-six more men, apparently English seamen temporarily in Maryland.

In some cases the wording of the reports is vague but the results in the following table are substantially correct. A letter from the English Commissioners of the Customs to Edward Randolph, Surveyor General of Customs in America, stated that some of those vessels were being built for Scots, though to be registered in the plantation and when loaded to depart without giving bonds.[114] From such reports it must be assumed that some ship-building was under way before the province came under the Crown, because there was no reason for a sudden burst of activity beginning exactly in 1689. On the other hand, an absence of definite references to the con-

TABLE II, b. TOTALS OF VESSELS BY TYPES

	Number of Vessels	
Local use:		
Shallops	56	
Sloops [1]	35	
	—	91
Coastal and ocean use: [2]		
Sloops	35	
Pinks	6	
Brigs	12	
Ships	21	
	—	74
Maryland vessels, total		165

1. About one-half of the sloops seemed too small for use except in trade with Virginia and Pennsylvania.
2. In the British Naval Office Lists there were at least 80 Maryland owned vessels listed between 1689 and 1701, Morriss, p. 114.

struction of vessels in Maryland on any scale prior to 1690 would indicate that the industry really struck its stride during the last decade.

Ferries in Maryland. A word or two should be given to the public use of boats in inland transportation. Interest was expressed in the efforts to establish and maintain ferries across the numerous stretches of water which cut many of the most direct routes to the provincial capital as well as to the county seats. Official action on that need was evidenced as early as 1658 when an act of the Assembly provided that every county except one must maintain one ferry at the expense of the county and under the administration of the local court. Those ferries probably operated without a fee, because the act was silent on that point.[115]

[114] *Archives,* XXIII, 329.
[115] *Ibid.,* I, 375-376. The act was in force for three years or to the end of the next General Assembly. In the contemporary manuscripts a " Publick fferry " meant a service

In 1664 three specific ferries were established apparently in places not previously serviced, and each case the counties (Calvert, Charles and St. Mary's) were to maintain them. The minimum lengths of the boats were specified, 14 feet by keel in two cases and 18 feet in the third. It seems probable that those ferries also were free because no fees were listed.[116] But the continuance of satisfactory services remained a real problem to the end of the century. Ferries supported out of local tax funds either did not pay or the positions were drawn into politics, because by the last quarter of the century the tendency was to authorize the private operation of such services for the public on a stated schedule of fees: one shilling was usually the maximum for either man or horse across the wider rivers. Even such encouragement seemed unsatisfactory, so in 1698 all provincial aid and supervision ceased. However, private persons were encouraged in the business by the permission to keep inns at the landings without paying the usual license fee for such ordinaries, and counties were allowed to make ferry costs of their delegates to the Assemblies a part of their county levies.[117]

Prices of Maryland Vessels. When it comes to the prices for which vessels sold not enough data are available to allow more than a rather generous range.[118] There is a record of a brigantine valued in 1678 at 12,000 lbs. of tobacco, £75, and the suit of sails for it were 2,000 lbs., £12.10. Several years later a small boat was appraised at 300 lbs.[119] Another brigantine in 1689 was sold at a total price of about 24,000 lbs. of leaf; first, one-half interest went for £50 and

established for general public use, and did not refer to the source of its funds, that is, public subsidies or levies on the one hand, or direct individual service charges on the other.

[116] *Ibid.*, pp. 534-535. On some count opposition developed and fragments of an Assembly journal, 1666, indicate possibilities of repeal, *ibid.*, II, 69, 76. After all, at most of the ferries the patronage was probably very irregular and to meet the conditions of keeping a man and boat at hand from sun up to sun down was scarcely profitable unless the county was generous with aid. Furthermore, in many places it was handier for the traveller to get the nearby planter to set him across a river than go out of the way to the nearest established ferry.

[117] Ferry regulations from 1667 to 1700, with all references to the *Archives*: 1673, V, 118-119; 1675, XV, 54-56; 1676, XV, 93-94; 1678, VII, 38; 1680, XV, 288-289; 1682, XVII, 123; 1695, XX, 320; 1696, XIX, 359, 364, 463, 512, 563; 1698, XXII, 44, 83-84, 114, 120, 238. In none of the laws or ordinances where specific rates for services were stated were charges for wagons mentioned, evidence of the scarcity of such vehicles.

[118] Not quite the same difficulty was found with prices for some of the more common commodities, live stock, slaves and servants, though the sources yielded nothing like the long continuous series of prices available for some of the colonies in the 18th century. See, V. J. Wyckoff, "Seventeenth Century Maryland Prices," *Agricultural History*, XII, 299-310; "Land Prices in Seventeenth Century Maryland," *American Economic Review*, XXVIII, no. 1, pp. 82-88.

[119] Md. P. C. R., NN, pp. 678-681, 715-716.

10,000 lbs. of tobacco, £42, and later the same buyer offered two able working Negroes and 5,000 lbs. of tobacco. An approximation of all those payments was £150, which was the value allowed by the jury when suit was brought for incomplete payment.[120] For one ship seized and condemned for violating the Navigation Acts there are some details: the hull was appraised at £118, the guns and equipment at £165, and a long boat at £8,—a total of £291. The merchandise it carried was valued at £459.12.2, and several Negroes £103,—the grand total was £853.12.2, which in present day money might come to about $20,000.[121]

Prices for a number of small vessels are available during the tenth decade: a shallop for £20, a "Large Boate called a fflatt " at 3,000 lbs. tobacco or £12.10, a sloop and a flat boat together were judged worth 40,000 lbs. by the owner bringing suit but the court cut that sum to 8,000 lbs. plus 2,226 lbs. of leaf for costs. A 16 foot boat was sold for £6.12, a 20 foot shallop for £10.8, a small boat at £50 though it could not have been very small, and a decked sloop for 26,000 lbs. of tobacco or £108; and finally a condemned ship 100 feet long, 6 years in use, with masts and yards was appraised at £250.[122]

Probably the most convenient unit for expressing ship-building prices is the ton burden; unfortunately in the above descriptions necessary facts were not given. However, from the type of the vessel an estimate can be made within a fairly wide range, and on such a basis these tentative figures are offered: £1-£2 sterling a ton for small, used boats, £2.10-£3.10 for a new boat or a used ship, and £3.10-£4.10 for a newly constructed ocean going vessel of 100 tons or better. From other areas comes information on this subject. In New England where ship-building continued an important industry it was stated that " good white oak vessels in America cost about £4 a ton, while in England costs were £7-£8 according to Sir Josiah Child." [123]

There were a few rentals of vessels. A 200 ton ship was leased at £65 a month plus wages and provisions for the ship master and a crew of sixteen. About the same year, 1676, there were several more statements: a boat with a two man crew for 120 lbs. of leaf a day, a shallop and two men for 90 lbs., a sloop without crew for 50 lbs.,

[120] Md. P. C. J., TL (1), pp. 297-300. The Negroes could be valued at 5,200 lbs. of tobacco or about £22 each, Wyckoff, " Maryland Prices." Unless the ages and conditions of two vessels of the same type were stated, the values allowed but a most guarded comparison. Also a free or forced sale must be considered.

[121] P. R. O., C. O. 5: 713, f. 268.

[122] Md. P. C. J., DS (c), p. 98; *ibid.*, TL (1), pp. 580-583, 603-604, 750-751, 762-764; P. R. O., C. O. 5: 714, f. 359.

[123] Hans Keiler, *American Shipping, its History and Economic Conditions,* Jena, 1913, p. 9. Also see, Weeden, pp. 253, 367-369; Bruce, II, 437-439.

and another sloop for the flat rate of £10 a month. A trip from the head of Chesapeake Bay down and around into the Potomac in a sloop with a crew of three men cost 1,300 lbs. of tobacco plus the provisions for the men. On that trip an allowance was made for " a reasonable demurrage " in case of a wait over 4 days, a charge for idleness of equipment used currently; however, Andrews mentioned a usual discount of £3 offered by owners to those ship masters whose stay in the tobacco colonies was less than 40 days. One or two other items came toward the close of the century; a boat rented at 10 lbs. of tobacco a day, a decked sloop at £3 a week, and a small, equipped boat at £5.8.7 a month, a sloop and a flat boat to load a big ship at £5 a month.[124]

Shipping in Other Colonies. Before giving other results from an analysis of the various reports on the maritime activity in Maryland a few records on shipping in the other colonies for the fourth quarter will offer a basis for comparison. From Massachusetts in 1676 came a statement on locally built and owned vessels: 30 of them from 100 to 250 tons, 200 of 50-100 tons, 200 of 30-50 tons, and 300 small boats 6-10 tons, a total of 730 vessels which well sustained the shipbuilding reputation of that area.[125] The preponderance of small vessels was noticeable; they were used principally in the fisheries and in the inter-colonial trade including the West Indies. Furthermore, a number of the ships were for sale, " it was considered not remarkable for New England builders to receive orders from Great Britain for 30 ships in one year." [126]

The direct exchange of goods between New England and the mother country was small in quantity though valuable. Quantitative trade was with other countries, other colonies and in tobacco from the plantations to ports across the Atlantic. For instance in 1699 from Boston the governor wrote to the Committee on Trade and

[124] References for the data in this paragraph in sequence: Md. P. C. R., NN, pp. 182-184, 289-290, 678-681; Md. Inventories and Accounts, III (1676-1677), p. 82, MS (Hall of Records, Annapolis); Andrews, *Colonial Period*, I, 211; Md. P. C. J., WT(4), pp. 242-245 recorded a suit for demurrage in 1699 against a ship in the Maryland-Barbados trade at the rate of £30 a month; *ibid.*, WC, p. 379; *ibid.*, TL (1), pp. 580-583; *ibid.*, WT (3), pp. 192-194, 389-390.

[125] Weeden, p. 254. Yet at the end of the century there were not as many vessels in the general commerce of New England, the registers of Boston in 1700 showing 25 ships over 100 tons and 39 about 100 tons, 50 brigantines, 13 ketches, 67 sloops,—a total of 194. Other towns in Massachusetts had about 70 vessels, and New Hampshire reported 24, *ibid.*, pp. 363-4.

[126] Clark, *Hist. of Manufactures*, I, 95, citing Hutchinson, *Papers*, II, 232. Marvin observed that " of 1332 vessels borne on the archives in the State House at Boston as built between 1674 and 1714, 239 were disposed of to foreign owners." Winthrop L. Marvin, *The American Merchant Marine*, New York, 1902, p. 4.

Plantations that there were at least 70 idle ships in the harbor,—the tobacco crops of Maryland and Virginia having failed.[127] Massachusetts continued regulatory legislation, passing a law in 1698 that no ship of more than 30 tons could be built "unless under the direct supervision of a competent shipwright."[128] Rhode Island, although active commercially, had no more than 4 or 5 vessels in the eighties but took part in "the golden days of colonial and provincial shipbuilding in the first decade of paper inflation, before prices had been so generally advanced that our mechanics could not compete with the specie values of Europe."[129]

Although Virginia in 1681 answered an English order in council against the encouragement of ship-building with the statement that the colony had but 2 ships built and owned within its borders, by the last decade construction was picking up a bit. "In 1697, ships were constructed in Virginia by Bristol merchants who were influenced to build there by consideration not only of the fine quality of the timber, but also of the comparatively small cost entailed in the performance of the work." And other vessels were built for domestic use.[130] Pennsylvania also was active as was shown in a letter by Governor Nicholson of Maryland to the Duke of Shrewsbury, 1695. He mentioned that 12 to 14 sloops, brigantines and other types were on the ways near Philadelphia, and (the real purpose of the letter) the owners were enticing seamen away from the merchant ships in the southern tobacco colonies.[131]

Length of Voyage. Information about the number of days taken to cross the ocean to and from the colonies has been given except for the last quarter of the century. There was relatively little improvement over the trips recorded after 1650. To be sure the direct routes to the different colonial ports had become established which lessened the necessity of using intermediate points such as Bermuda or the West Indies, and for return voyages to Lyme, Falmouth, Weymouth, Cowes, and London a period of 27 to 35 days seemed usual.[132]

Nor was there much improvement in the conditions of passage. Pastorius coming to settle in Pennsylvania in 1683 found the ship food and drink "rather bad." Ten people received 4 jugs of beer and 1 jug of water daily, 2 dishes of peas every noon, 3 lbs. of butter

[127] *C. C. P.*, 1699, no. 890; Weeden, p. 266.
[128] Weeden, pp. 366-368, with quotation from Massachusetts *Archives*, LXII, 294-296.
[129] Weeden, pp. 573, 361-362.
[130] Bruce, II, 437-439.
[131] *C. C. P.*, 1693-1696, no. 1897.
[132] *C. D. P.*, 1676-1677, pp. 204, 216; 1677-1678, p. 647; a trip to Cowes was made in 20 days, *ibid.*, 1682, p. 182.

a week, and meat four times, salt fish three times a week,—he found it hard to tell the meat and fish apart. Enough had to be saved at noon for the evening meal. He advised passengers to bring other provisions for their own use or " carefully stipulate with the ship's

TABLE III. PASSENGER CHARGES ON SHIPS TO THE AMERICAN COLONIES, 1675-1699

Year	Route	Number of People	Charge per Person [1]	Reference
1678	England–plantations	man, 5 servants	£9	Md. P. C. R., NN, pp. 677-8
1678	Hull–Maryland	man, servant	£12, £6	*Ibid.*, pp. 816-8
1678	Ireland–Maryland	40 passengers	£5.12 [2]	Md. P. C. J., WC, pp. 113-7
1678	Ireland–Md. and Va.	90 servants	£5	*Ibid.*, pp. 97-8
1680	England–plantations	4 persons	£6	*Ibid.*, p. 706
1680	England–W. Jersey	adults	£5	Myers, *Narratives*, p. 194
		children, under 13 yr.	£2.10	
		sucking children	£0	
1681	England–Pennsylvania	masters, mistresses	£6	*Ibid.*, p. 211
		servants	£5	
		children, under 7 yr.	£2.10	
		sucking children	£0	
1685	England–plantations	14 servants	£5.10	Md. P. C. J., DS(A), pp. 189, 281
		master, servant	£5.10	
1697	England–plantations	adults	£6	*C. C. P.*, 1696-7, no. 1411
1699	England–Pennsylvania	adults	£6	Myers, p. 388
17th C.	England–Virginia	servants	£6	Bruce, I, 629
	—	—		—
1676	New England–Maryland	2 men	£2	Md. P. C. J., NN, p. 31

1. When the passage charge was given in pounds of tobacco, the conversion rate was taken as 1½d. a pound up to 1680, and 1d. after that.
2. In addition to the £5.12 charge, a ½ charge was allowed for anyone dying on the trip, and there was an expense of 18d. a week while waiting in Ireland aboard ship.

master concerning the quality as well as the quantity of food which he shall daily receive." Then bind the master more closely by withholding some of the passage money until arrival.[133]

Passenger and Freight Charges. A summary of the information about passenger and freight charges to and from Maryland and other

[133] " Pastorius's Pennsylvania," Myers, p. 389.

American colonies in the last several decades of the century can conveniently be presented in tables.[184] As can be seen there was

TABLE IV. FREIGHT CHARGES ON SHIPS TO THE AMERICAN COLONIES, 1675-1699

Year	Route	Classification	Charge per ton [1]	Reference
1675	Virginia–England	tobacco	£7	Bruce, I, 451
1677	Maryland–England	tobacco	£6–£11 [2]	Md. P. C. R., NN, p. 286
1678	Virginia–Falmouth	tobacco	£7–£10 [3]	*C.D.P.*, 1678, p. 473
1680	Maryland–London	tobocco	£6	Md. P. C. J., WC, pp. 794-6
1680	Virginia–England	tobacco	£6.10	Bruce, I, 451
1684	Virginia–England	tobacco	£5.5	*Ibid.*
1685	Maryland–London Maryland–Holland	tobacco	£6.5 [4] £7.5	Md. P. C. J., DS(A), pp. 556-7
1689	Maryland–London Maryland–Holland	tobacco	£14 [5] £16	*Ibid.*, TL(1), pp. 57-60
1690	Virginia–England	tobacco	£14	Bruce, I, 451
1690	Virginia–England	tobacco	£16	*Ibid.*
1691	Maryland–Hull	tobacco	£14 plus 2sh.[6]	Md. P. C. J., TL(1), pp. 746-8
1692	Maryland–England	tobacco	£8.10 plus 2sh.	*Ibid.*, pp. 743-4
1697	Virginia–England	tobacco	£8	Hartwell, Blair, Chilton, p. 17 [7]
	—	—	—	—
1680	England–W. Jersey	merchandise	£2	Myers, *Narratives*, p. 194
17th C.	England–Virginia	merchandise	£3	*Bruce, II*, 348
17th C.	England–New England	merchandise	£3	Weeden, pp. 369-370
17th C.	New England–England	freight	£3.10	Weeden, p. 370
	—	—	—	—
1685	Maryland–Pennsylvania	corn	£3	Md. P. C. J., DS(A), pp. 481-2

1. For tobacco shipments 4 hogsheads have here been considered a ton.
2. The contract was for 25 tons of bottom space at £11; 5 tons were sublet to the ship master for £6 a ton.
3. These prices were considered high.
4. These rates were contracted in the name of Lord Baltimore.
5. Probably the result of the Revolution and the war.
6. The 2sh. was the Maryland export duty on each tobacco hhd., one-half going to the proprietor, the other half to the provincial government.
7. Hartwell, Blair and Chilton, *The Present State of Virginia and the College*, London, 1727.

enough uniformity in the passenger rates to confirm the prices mentioned for earlier years. For freemen or masters the cost of trans-

[184] For the years before 1675 see this *Magazine*, Vol. XXXIV, 59-60 (March, 1939).

portation including food and drink was usually £6 sterling, and for servants from £5 to £5.10, with an occasional exception. Those sums were exclusive of the charges per day during the wait in the port of departure, the extras which could be provided by special arrangement, and the plantation duties on immigrants. Unfortunately none of the dates of the passenger items coincides with the disturbed years revealed by the freight rates.

Accounts indicate that unless a ship fell in with ruthless pirates the passengers were ultimately landed at some port and thus the risks of war and depredation fell mainly on freight shipments. In times of peace and with fairly normal conditions of demand for and supply of vessels, the freight rates from Britain to the colonies stayed very close to £3 a ton. It was on the reverse voyage that the variations appeared, though even there a fair statement seems that the charges per ton on tobacco (4 hogsheads) were £6 to £7 with rates doubled during wars. This conclusion must be restricted to the tobacco colonies. Weeden stated that freight from London was generally £3 a ton and £½ to £1 higher on the return voyage.[135]

(*To be concluded.*)

[135] Weeden, pp. 369-370.

BALTIMORE COUNTY LAND RECORDS OF 1686

Contributed by Louis Dow Scisco

The increasing number of land transfers seems to indicate a growing migration from older counties in search of new lands.

The following entries are summaries of records on pages 166 to 208 of Liber R M No. H S, in which they were transcribed from an older liber called E No. 1, now missing.

Deed, March 2, 1685-86, Edward Mumford, planter, conveying to Thomas Stone and Dennis Garrett the 100-acre tract "Long Island Point" on the northwest branch on north side of Patapsco River, adjoining to land of Alexander Mountney. Witnesses, Olliver Haile, Clerk Thomas Hedge. Grantor acknowledges before Col. George Wells and Mr. Edward Bedell, commissioners. Clerk Thomas Hedge attests.

Bond, March 2, 1685-86, Edward Mumford, planter, of Patapsco, obligating himself to Thomas Stone and Dennis Garrett for 20,000 pounds of tobacco as security for performance of covenants in deed of same date. Witnesses, Olliver Hayle, Thomas Hedge.

Deed, March 10, 1684-85, William Gaine conveying to Charles Gorsuch the 156-acre tract "Waltum" on the west side of Welshman's or Hadaway's Creek and east side of Sparrow's Creek, on north side of Patapsco River, adjoining to land formerly laid out for Howell Powell. Witnesses, John Maniner, John Amberson. Grantor's attorney James Phillips acknowledges January 5, 1685-86, to grantee's attorney John Hathway, before George Wells and Mark Richardson.

Letter of attorney, April 3, 1685, John Martin, of Anne Arundel County, Phillips his attorney to acknowledge in court the sale of 156 acres. Witnesses, John Amerson, Edward Nowell.

Deed, April 3, 1685, John Martin, of Anne Arundel County, conveying to Joseph Sadler, of Kent County, the 100-acre tract "Martinsons" at Martin's Creek, on the south side of Back River near Patapsco River, it being agreed that if the upper part overlaps land lately sold by Martin to John Boreing the said Sadler shall not trouble Boreing, whose title shall remain good. Witnesses, John Ardin, Susannah Harris, Charles Gorsuch. Grantor's attorney James Phillips acknowledges on January 5, 1685-86, to John Hathway who appears for grantee's attorney Charles Gorsuch, before George Wells and Mark Richardson.

Letter of attorney, April 3, 1685, John Martin, of Anne Arundell County, appointing James Phillips his attorney to acknowledge sale of land. Witnesses, James Ellingston, John Ardin.

Letter of attorney, April 3, 1685, Joseph Sadler giving to Charles Gorsuch authority to receive acknowledgment of 100 acres. Witnesses, James Ellingstone, John Ardin.

Mortgage, March 24, 1685-86, George Coningam, cooper, pledging to William Ozbourne, planter, of Bush River, the 50-acre tract "Hoggs Neck"

and one black horse, as security against loss by Ozbourne, who is security for Coningham to Edward Reeves, planter, in the amount of 1,900 pounds of tobacco. Witnesses, Edward [*torn*], Evan [*torn*], Thomas Hedge.

Deed, January 23, 1685-86, Richard Johns, gentleman, and wife Elizabeth, of Calvert County, conveying to Thomas Lightfoot, gentleman, the 300-acre tract "Harboron," at the southwest branch, and the 150-acre tract "White Oak Spring," near an island, both on south side of Patapsco River. Witnesses, Thomas Lawrance, Geratt Hopkins, Robert Ward. Acknowledged before Thomas Taylor. Col. William Burgess attests.

Deed, March 1, 1685-86, John Bevan, planter, and wife Julyan, for 3,500 pounds of tobacco, conveying to Marcus Lynch, merchant, of Galloway, Ireland, the tract "Limbrick." (*Record damaged and partly unreadable, but relates to 100 acres at Saltpeter Creek*).

Deed, July 2, 1685, George Gunnell, chirurgeon, of Allemack County, Carolina, conveying to James Mills the 100-acre tract "Galliarbe" on the west side of Bush River and adjoining to John Collyer's land, as formerly held by Joseph Gallion and sold by him to Edward Gunnell, said Mills having paid to Col. Vincent Lowe 5,000 pounds of tobacco on a bill made by grantor's deceased brother Edward Gunnell, for which Mills was security, and having paid also 510 pounds to Daniel Clocker and 473 pounds to John Blomfeild of St. Mary's County on grantor's debts; grantor also appointing Mr. John Hathway and Mr. John Eyles his attorneys to acknowledge for him in court. Witnesses, Richard Murfeild, William Hage, who depose before Governor Seth Sothell that they saw the deed executed. Grantor's attorney John Hathway acknowledges June 5, 1686. Clerk Hedge attests.

Quitclaim deed, April 13, 1686, Thomas Lightfoot, gentleman, conveying to John Mercer the 100-acre tract "Mill Haven" on the middle branch on north side of Patapsco River. Witnesses, Thomas Bland, Wolfran Hunt. Grantor acknowledges in June 1 court. Clerk Hedge attests. (*Record damaged*).

Deed, April 11, 1686, Anthony Ruly, currier, of Anne Arundel County, for 2,600 pounds of tobacco, conveying to John Mercer, planter, of same county, the tract "Mill Haven," on north side of Patapsco River. Johana Ruly signs with grantor. Witnesses, Richard Hell, Laurance Draper, Thomas Mercer. Grantor acknowledges before Thomas Taylor and Vincent Lowe. Appended alienation receipt form unused. Notation by Roger Mathews of blanks in original record. (*Record damaged*).

Letter of attorney, undated, David Adams appointing Thomas Scudamore his attorney to receive 100 acres in court. Witnesses, Alice Roberson, Thomas Lack. Scudamore acknowledges attorneyship in June 1 court.

Deed, May 26, 1686, Charles Gorsuch conveying to David Adams the 100-acre tract "Welcome" on south side of Back River, adjoining or near to land where Rowland Thornbrough lives. Witnesses, James Collyer, John Hathway. Grantor acknowledges in June 1 court to grantee's attorney Thomas Scudamore before Col. George Wells and Maj. Thomas Long, commissioners. Clerk Hedge attests.

Bond, June 1, 1686, Thomas Richardson of Gunpowder River, obligating himself to John Bird for 10,000 pounds of tobacco as security for performance of covenants in deed of same date. Witnesses, John [*torn*], William [*torn*]. (*Record damaged*).

Deed, June 1, 1686, Thomas Richardson, planter, of Gunpowder River, conveying to John Bird, planter, the 100-acre tract "Richardsons Prospect" at Stoney Barr Point on the south side of the southwest branch of Gunpowder River, adjoining to land formerly taken up for John Owen and to the tract "Arthurs Choice." Witnesses, William Yorke, John Hathway, John Hall. Wife Rachel consents before Thomas Long and Francis Watkins. Clerk Hedge attests.

Letter of attorney, [*blank*] 1686, Samuel Wheeler and wife Ann appointing Thomas Lyghtfoot their attorney to convey 200 acres to David Jones. Witnesses, Edward Watson, William Bawll. Lightfoot acknowledges attorneyship at June 1 court. Notation by Roger Mathews of blank in original record.

Deed, March 22, 1685-86, Samuel Wheeler, gentleman, and wife Ann, of Cecil County, conveying to David Jones, gentleman, the 200-acre tract "Mountney Neck" on north side of the northwest branch of Patapsco River. Witnesses, Thomas Lightfoot, Edward Watson, William Baull. Grantor's attorney Thomas Lightfoot acknowledges in June 1 court. Clerk Hedge attests.

Letter of attorney, May 3, 1686, Robert Burman, merchant, appointing Mr. Mathew Hudson his attorney to govern the servants and overseers on two plantations at Patapsco River. Witnesses, Edward Mumford, John Harry – – –, Robert Yas – – –. Hudson acknowledges attorneyship at June 1 court. Clerk Hedge attests.

Bond, June 2, 1686, Charles Gorsuch certifying to agreement that he will not trouble or molest Edward Mumford, if the latter shall make good the title to the tract "Hopewell," on the north side of Patapsco River, near land of Solomon Sparrow. Witnesses, Thomas Scudamore, James Collyer. Gorsuch acknowledges at June 1 court. Clerk Hedge attests. Notation by Roger Mathews of blank in original record.

Deed, June 1, 1686, Edward Mumford conveying to Charles Gorsuch the 15-acre tract "Hopewell," on the south side of Sparrow's Creek on north side of Patapsco River, near Solomon Sparrow's land. Witnesses, Thomas Scudamore, James Collyer. Grantor acknowledges in court. Clerk Hedge attests.

Deed, October 28, 1685, Daniell Lawrance, tailor, conveying to Thomas Lightfoot, gentleman, the 100-acre tract "Daniells Hope" on the southwest branch of Bush River. Witnesses, John Hall, Robert Benger. Grantor acknowledges at June 1 court, 1686. Clerk Hedge attests.

Bond, May 26, 1686, Thomas Richardson, of Gunpowder River, obligating himself to Richard Ellingsworth, of same place, for 7,000 pounds of tobacco as security that he will keep the covenants in deed of same date. Witnesses, James Collyer, Robert Benger.

Deed, May 26, 1686, Thomas Richardson and wife Rachel, of Gunpowder River, for three thousand [*illegible*] hundred pounds of tobacco, conveying to Richard Ellingsworth, of same place, the 214-acre tract "Richardsons Reserve" on the east side of the north branch and at the head of Gunpowder River, as patented August 10, 1684, to Richardson. Witnesses, James Collyer, Robert Benger. Grantors acknowledge and wife Rachel consents at June 1 court. Clerk Hedge attests.

Deed, June 25, 1686, William Osborn, planter, and wife Margaret, for love they bear to him, conveying to James Phillips, innholder, certain land

on the river, adjoining to the court-house land and to land formerly purchased from Osborn. Witnesses, John Heathcoat, Robert Oless, Clerk Thomas Hedge. (*Record damaged*).

Mortgage, May 5, 1686, James Fugett, planter, for himself and wife Dorothy, conveying for three years to Miles Gibson, gentleman, the 200-acre tract "North Yarmouth," at the head of Swan Creek, together with the manservant Thomas Wallingford, the household goods on the plantation, and twelve head of cattle, as security that he will pay in three installments a loan of 15,797 pounds of tobacco, some of the cattle having Fugett's mark and some that of James Ives, deceased, and some having belonged to Mr. Robert Langley's estate. Witnesses, Thomas Wallingford, William Jeff, Clerk Thomas Hedge. Appendant schedule of land and chattels covered by the mortgage.

Deed, July 27, 1686, Thomas Thurcall, planter, conveying to William Westbury a third part of the 50-acre tract "Daniells Necke." Jane Thurcall signs with grantor. Witnesses, George Wells, Edward Bedell, Clerk Thomas Hedge. Grantor acknowledges and wife Jane consents in September 7 court before Edward Bedell, she being Thomas Daniell's daughter. Notation by Roger Mathews of blanks in original record.

Bond, September 7, 1686, Thomas Thurcall and wife Jane obligating themselves to William Westbury, planter, for 12,000 pounds of tobacco as security for performance of covenants in deed, of same date, of a third part of land at Gunpowder River left to Jane by her father Thomas Daniell. Witnesses, John Hathway, Thomas Dalby.

Deed, February 9, 1685-86, John Meriton, gentleman, of Anne Arundel County, for 5,000 pounds of tobacco, conveying to John Sellman, of same county, the 500-acre tract "Meritons Lott," at Bynam's Branch on the east side of Bush River and adjoining to "My Lords Gift," as patented October 11, 1684, to Meriton. Witnesses, Richard Bland, Maran Davall. Grantor acknowledges before Thomas Taylor. William Burgess, Jr., attests. Notation by Roger Mathews of blanks in original record.

Bond, February 9, 1685-86, John Meriton, gentleman, of Anne Arundel County, obligating himself to John Sellman, planter, of same county, for 10,000 pounds of tobacco as security for performance of covenants in deed of same date. No witnesses recorded. Thomas Taylor attests for William Burgess.

Deed, August 7, 1686, Samual Sicklemore, planter, conveying to Arthur Taylor the 150-acre tract "Samuells Delight" on the east side of the north branch of Gunpowder River, lately taken up by grantor under warrant transferred by Thomas Lightfoot, deputy surveyor. Witnesses, James Taylor, James Greyer, Christopher Foster. Grantor acknowledges September 7 before George Wells and Edward Bedell.

Bond, August 7, 1686, Samuel Sicklemore, planter, of Gunpowder River, obligating himself to Arthur Taylor for 10,000 pounds of tobacco as security for performance of covenants in deed of same date. Witnesses, James Greyer, James Taylor, Christopher Foster. Sicklemore acknowledges September 7 before Col George Wells and Mr. Edward Bedell, commissioners, Clerk Hedge attests.

Deed, October 5, 1686, John Hall conveying to William Lenox the 55-acre tract "Hopefull Marsh" on the east side of Gunpowder River, adjoining to

" Sampsons Thickett " and to land of Godfrey Harmon. Witnesses, William Osborn, John Hathway.

Bond, October 5, 1686, John Hall, planter, obligating himself to William Lenox for 4,000 pounds of tobacco as security for performance of covenants in deed of the same date. Witnesses, Robert Gates, William Osborn, John Hathway. Hall acknowledges before George Wells, Henry Johnson, Edward Bedell, and Major Richardson. (*Record damaged.*)

Deed, November 3, 1686, Thomas Hedge, gentleman, conveying to William Osborne of Rumley Creek the 100-acre tract " Common Garden " at Rumley Creek, adjoining to land of William Osborne, Sr., and purchased by grantor from Miles Gibson. No witnesses recorded. Grantor acknowledges in court to Mr. Marke Richardson, appearing for grantee. Deputy Clerk John Hathway attests for Clerk Hedge. Interpolated entry that Sheriff Thomas Long on October 4, 1688, receives from William Osborne, Jr., a year's rent as alienation.

Deed, July 20, 1686, Thomas Richardson and wife Rachel of Gunpowder River, for 4,000 pounds of tobacco, conveying to Robert Love of same place, 200 acres on the south side and at the head of Gunpowder River, as patented in 1685 to Richardson. Witnesses, John Boreing, Thomas Scudamore. Grantor's attorney, name illegible, acknowledges in court. Deputy Clerk John Hathway attests for Clerk Hedge. Notation by Roger Mathews of blank in original record.

Bond, July 20, 1686, Thomas Richardson, planter, of Gunpowder River, obligating himself to Robert Love, planter, of same place, for 6,000 pounds of tobacco as security for performance of conditions in deed of same date. Witnesses, Thomas Scudamore, John Boreing.

Deed, July 20, 1685 (*sic*), Thomas Richardson, of Gunpowder River, conveying to Robert Gates, of same place, the 30-acre tract " Gates Close " on the south branch and at the head of Gunpowder River, adjoining to Capt. John Waterton's land, said tract as patented in 1685 to Richardson. Witnesses, John Boreing, Thomas Scudamore.

Bond, July 20, 1686, Thomas Richardson, planter, of Gunpowder River, obligating himself to Robert Gates for 3,000 pounds of tobacco as security for keeping of covenants in deed of same date. Witnesses, Thomas Scudamore, John Boreing. Thomas Scudamore acknowledges in November 3 court as attorney for Richardson and wife Rachel. Deputy Clerk John Hathway attests for Clerk Hedge.

Deed, September 4, 1686, Thomas Richardson, of Gunpowder River, for 2,000 pounds of tobacco, conveying to John Haies, carpenter, of same place, the 100-acre tract " Richardson's [*blank*] " on the south side of Back River, in Gunpowder River, adjoining to the tract " Springs Neck." Witnesses, John Boreing, Thomas Scudamore. Notation by Roger Mathews of blank in original record.

Bond, September 4, 1686, Thomas Richardson, of Gunpowder River, obligating himself to John Haies, carpenter, of same place, for 4,000 pounds of tobacco as security for the keeping of covenants in deed of same date. Witnesses, Thomas Scudamore, John Boreing. Thomas Scudamore acknowledges at November 3 court as attorney for grantor and wife Rachel. Deputy Clerk John Hathway attests for Clerk Hedge.

Deed, July 21, 1686, Thomas Richardson, of Gunpowder River, for 2,000 pounds of tobacco, conveying to William Caine of Back River the 100-acre

tract " Richardsons Plaine " on south side of Back River, in Gunpowder River, adjoining to land of Richard Windley and opposite to tract " Spring Neck." Wife Rachel mentioned as co-grantor. Witnesses, John Boreing, Thomas Scudamore.

Bond, July 20, 1686, Thomas Richardson, planter, of Gunpowder River, obligating himself to William Caine, planter, of Back River, for 4,000 pounds of tobacco as security for fulfillment of covenants in deed of same date. Witnesses, Thomas Scudamore, John Boreing. Scudamore acknowledges at November 3 court as attorney for grantor and wife Rachel. Deputy Clerk John Hathway attests for Clerk Hedge.

Letter of attorney, November 2, 1686, Rachel Richardson, wife of Thomas Richardson, appointing Thomas Scudamore her attorney to acknowledge conveyance of four tracts to grantees of same. Witnesses, John Boreing, Robert Gates.

Deed November 2, 1686, David Jones conveying to James Phillips the 550-acre tract " Rangers Lodge " at John [*torn*] Run, on the middle branch and at head of Bush River, as patented August 10, 1684, to Jones. No witnesses recorded. Capt. David Jones acknowledges in court. Deputy Clerk John Hathway attests for Clerk Hedge.

Deed, November 17, 1686, John Hall, planter, conveying to William Westbury the 50-acre tract " Hornenisham," on the east side of Gunpowder River, adjoining to the tract " Daniells Nest " formerly taken up by Thomas ODaniells, and also " part of three parts " of " Daniells Nest," estimated at 16½ acres, a total of 77 acres (*sic*). Deed executed December 7. Witnesses, Thomas Thurstone, John Hathway. Appendant unsigned certificate of possession.

The succeeding entries are from pages 1 to 9 of the original liber F No. 2 and pages 208 to 211 of a transcript in Liber R M No. H S. A few entries in the original record were not copied into the transcript liber, but are included here.

Mortgage, October 16, 1686, Peter Fucatt, planter, in consideration of certain tobacco received and of certain debts owed, conveying to John Walston, carpenter, for six years, the 100-acre plantation lately occupied by Fucatt and 100 acres adjoining to it, and if Fucatt shall die within that time and the debts be unpaid then title in fee simple shall vest in Walston. Witnesses, Henry Johnson, John Thomas. Fucatt acknowledges in December 7 court. Deputy Clerk John Hathway attests for Clerk Hedge.

Council warrant October 14, 1682, directing Capt. John Stansby, sheriff of Baltimore County, to permit Samuel Fendall or agent to take up six or seven unmarked horses or mares, Fendall and James Mills having declared that horses and mares of Fendall went astray five or six years ago and have been seen in those parts. Signed by John Lewelling, clerk of the council. Appendant list of brands of the strays, some having Henry Haselwood's mark. (*Omitted from transcript liber.*)

Assignment, November 14, 1683, Samuel Fendall of Charles County assigning to Capt. Henry Johnson of Spes Utie Island his rights under provincial warrant and making him attorney for taking up six or seven wild horses in place of ten horses and mares formerly lost by Fendall, bearing

certain brands. Witnesses, James Corney, Francis Frye, John Rawlings. (*Omitted from transcript liber.*)

Deed, August 20, 1686, Thomas Lightfoot, gentleman, conveying to Amos Nicols, gentleman, of Pennsylvania, 400 acres at Born Branch, on west side of the head of the Bay, near Susquehanna River, between lands of Capt. Thomas Stockett and adjoining to tracts "Born" and "Harmers towne" and to Col. Henry Darnell's tract "Convenience." Witnesses, Henry Johnson, John Langley. Grantor acknowledges on August 25 before Henry Johnson and Edward Bedell.

Deed, November 2, 1686, Miles Gibson, for 9,000 pounds of tobacco, conveying to John Rawlings, planter, 150 acres, being half of tract "Collets Neglect" at Elk Neck Creek in Gunpowder River, said tract formerly granted to George Holland and later being the dwelling plantation of Michael Judd. Witnesses, Mark Richardson, Miles Gibson. Undated receipt, John Hall, sub-sheriff, having received six shillings from Rawlings for alienation. Grantor acknowledges in November court and gives possession. Deputy Clerk John Hathway certifies for Clerk Hedge. Notation by Roger Mathews of blank in original record.

Archives of Maryland, LV: Proceedings and Acts of the General Assembly of Maryland, 1757-1758 (25). Published by Authority of the State under the Direction of the Maryland Historical Society. J. HALL PLEASANTS, editor. Baltimore. Maryland Historical Society, 1938. Pp. lvi, 800.

Among the fifty-five volumes of original texts thus far issued under the direction of the Maryland Historical Society—a series unsurpassed in value and not even approached in length and variety of content by any other similar publication—no single number contains material of wider significance than that which is before us. The significance lies in the fact that the evidence, while of special concern for the history of Maryland, is of scarcely less importance for the history of the entire British colonial world. This evidence illumines one phase of a struggle that was taking place in the proprietary and royal colonies to throw off the restraining influence of the prerogative and to give control into the hands of the popular assemblies. These assemblies were bodies of elected delegates (though representative only of such of the people as had the voting privilege—owners of property and no others), which assumed the right, often at the expense of the legal claims of crown and overlord, to act as trustees of all the inhabitants of their respective provinces and guardians of the personal security and financial welfare of the people as a whole. This struggle, beginning in some quarters early in the century and continuing in almost unbroken sequence down to the Revolution, though always consistently the same in principle, varied everywhere in the details of its operation and in the methods employed on each side to attain the ends sought. It reached a high water mark in Maryland during the year from April 1757 to May 1758, for nowhere were the subjects at issue more vehemently contested or the impasse between the contesting parties more inescapable than in the province of which Frederick Calvert was the lord proprietor and Horatio Sharpe his governor during this momentous year.

On one side was the governor and his council, constituting the upper house, the first acting for the proprietor and subject to his orders and instructions, limited only by the terms of the charter, and the second, made up of his appointees, some half-a-dozen in number and like unto him in devotion to the proprietary claims; on the other, the popular assembly, or lower house, of fifty-eight deputies, four each from fourteen counties and two from the city of Annapolis, who sat as did the upper house in the Stadt-House at Annapolis. In addition to the preliminary matter, appendix, and index this entire volume is filled with the record of the proceedings of but four sessions of this general assembly, uncommonly expanded by an almost interminable exchange of messages between the two houses, in which amendments and counter amendments, "each better calculated than the other for the good purposes intended," were bandied back and forth without either side being able to convince its opponent. Some of these messages are prolix, involved, and wearisome, and, as to pertinence and reasoning, often difficult to follow. As it is impossible here to analyze, even briefly, the wordy altercation which

took place, attention may be called to the fact that the best summary of the arguments on each side is to be found in the governor's definition of the proprietary powers on pages 480-491, 499-519, and in the assembly's statement of its rights and privileges on pages 621-630, 674-676. Governor Sharpe must have taken extraordinary pains with his papers in his effort to controvert the contentions of the lower house, for what he says is, on the whole, well written and, granting his premises based on a strict constructionist approach to the charter, soundly and logically presented. But the lower house would not accept his premises, his interpretations of the charter, or his ideas about the prerogative and was in no mood to listen to what he had to say. It was always in a belligerent frame of mind, like a bear defending her cubs. It not only denied many of the proprietary claims, but even went so far as to question the king's right (as expressed in directions sent through the Admiralty and War Office to their officers in America) to issue orders binding on Maryland. On one occasion it refused to recognize an opinion of the attorney-general of the crown because, as the assembly said, it in no way applied to the province. The assembly was generally indifferent to arguments based on the practices of other colonies, and though when convenient to do so it could appeal to custom and precedent in Maryland itself, it was inclined to deny the value of such sustaining evidence when made use of by the other side.

It is not necessary here to recount the subjects upon which the two houses differed—matters of defence, taxation, double taxing of all Roman Catholics who would not take the oath of abjuration, duty on convicts, control of the militia, appointment of certain officials—notably the governor's secretary Ridout, a battle royal—and that hardy annual in nearly all the colonies, the right of the upper house to frame and amend money bills. These topics are so fully and admirably treated by Dr. Pleasants in his Introduction as to render repetition superfluous.

More to our purpose is it to look into the spirit and temper of the lower house in its attitude toward the proprietor. While the upper house rested its case upon a legal and strictly conservative view of the prerogative and the charter, the lower house took its stand upon the broader but looser foundation of what it declared to be its duty to the people at large. Desiring only "that the just and distinct Rights and Privileges of each Branch of the Legislature should be preserved," it asserted its "undoubted Right and indispensable Duty, as Representatives of the Freemen of the Province in Assembly convened, to enquire into, represent, and remonstrate against every measure in the Administration, or Exercise of the Executive Powers of Government within this Province, which in their opinion, may tend to affect the Lives, Liberties, or Properties of the People, in any manner not clearly warranted by the known Laws or Customs thereof." Though insisting that it had no desire to deprive the proprietor of any of his just rights, it disputed these rights whenever it could, basing its own claims, not only on its position as the only popular representative body in the government but also on its possession of all the privileges of the House of Commons in England. When the governor denied the latter claim and reasserted the full rights of the prerogative, he was charged by the lower house with exercising an "undue stretch of power," with exceeding "the plain and express limits" of his authority, with introducing "an arbitrary power, the exercise of which must in the end enslave the whole," and with "a total disregard of the reasonable

complaints of the Representatives of the People." Some of these phrases, and there are many others of a similar kind, are but the early faint rumblings of the coming storm of discontent.

Thus throughout the volume we can follow the conflict of two philosophies of government and can readily discern the circumstances out of which, in part at least, arose that fear of executive power which is so conspicuous a feature of early American history, not only in the later colonial period but for many years also after independence had been won. But in no other colony, except Pennsylvania, did the popular assembly go so far in its quarrel with the prerogative as to demand, as was done in Maryland, that the upper house be abolished altogether. Convinced that the councillors composing that house were giving "ill advice and counsel" to the governor, the members of the assembly moved for the elimination of these councillors as a part of the legislature. That they were influenced by the Fendall episode of a century before (of which an interesting account is given here) is possible; that they had in mind the example of their neighbor, Pennsylvania, is not unlikely, as the council there had ceased to exercise any legislative functions after 1701; that they found their legal warrant in their own belief that an upper house was "no part of our Constitution," since it was not mentioned in the charter, is expressly stated. The governor put up a successful fight against this audacious attempt and in the end it came to naught.

How far the Maryland assembly can be charged, as Professor Osgood thinks that other assemblies under like circumstances can be charged, with "crude and arbitrary methods," with "legislative absolutism," and with "an exaggerated sensitiveness regarding their liberties" cannot be stated in general terms. Dr. Pleasants speaks of the "animus" and "bad manners" of the house in the Ridout case and the same may be said of the quarrel over the appointment of commissioners. There are other instances also in which the assembly was accused by the governor of "a disregard of all Decorum and the obvious Rules of Equity." But the accusation need not be pressed too far. The story told in this volume is a story of warfare—a verbal warfare, it is true, but none the less bitter on that account—in which every advantage was taken and no quarter was given, particularly on the side of the assembly. Conferences were rare and of little use unless the upper house would give in; compromises and concessions were usually negative in their results. One feels at times that the lower house was protesting too often and too much; that the "burdens of the people" and the "misspending of the public money" were merely weapons in debate—pretexts in the mouths of politicians for the winning of power. The governor with considerable justice could say "of what Use in the Conduct of public Business can an explicit Communication of our Sentiments be when after it is made your whole Study and Views are to elude the Force of them by fallacious Reasoning and captious Animadversions indulge an Humour of Invective and insult with Rudeness when you can't refute or convince by Argument." That the assembly was at times brutal in its language and tortuous in its logic no one who has followed carefully the course of the conflict can reasonably deny.

There are a number of forms of procedure that might be discussed in comparison with similar forms elsewhere, such as the frequent use of the Committee of the whole House and the practice of two readings instead of

three in the passage of bills, but these forms are well known from other volumes of the assembly series, of which this is the twenty-fifth. One point at issue may be cleared up. The lower house said that before Fort Cumberland was built the site was occupied by storehouses of the Ohio Company of Virginia. Governor Sharpe branded this statement as a falsehood. But the lower house was right and the governor wrong.

CHARLES M. ANDREWS.

Flight into Oblivion. By A. J. HANNA. Richmond, Va., Johnson Publishing Co., 1938. xiii, 306 pp. $2.75.

Flight into Oblivion is a poetic designation for an event which was so highly dramatic that it challenges fiction. The subject in itself is intriguing, not only to the research scholar in historical lore, not only to the descendants of those who shared—though perhaps in less desperately dramatic fashion—in the creation of a state destined to oblivion, but also to the general reader. So thrilling, so breath-taking, so tense with narrow escapes were the flights of at least four of the leaders of the Confederacy that they might well vie with the most nerve-wracking tales or most melodramatic representations on the stage. As if to add to the unreal flavor, the efforts of three of them, Benjamin, Breckinridge, and Toombs, were crowned with success.

The plot of this particular drama, the final act of the larger drama of the entire Civil War, is easily sketched. The author sets the stage in the first chapter by presenting first his *dramatis personae,* and then sketches the removal of the Confederate capital to its first way-station, Danville, thus lending this Virginia town a slight and temporary—very temporary—distinction.

The second chapter is devoted to recounting the story of the peregrinations of the Confederate treasure, and, along with parts of Chapters Five and Six retells the tale of a sum of money so exaggerated that it has become almost mythical with such meticulous detail as to render unnecessary its further investigation. Chapter Five presents the capture and imprisonment of President Davis and Post-Master Reagan, and also the arrest of Vice President Stephens at his home in Georgia. The remainder of the book is devoted almost entirely to following the adventures of John C. Breckinridge, Secretary of War; of Judah P. Benjamin, Secretary of State, and of George Davis, last Attorney-General of the ill-fated republic. The final chapter completes the story by recording the post-war histories of all the other men who at one time or another filled posts in the Davis cabinet—seventeen in all.

The volume is elaborately and attractively illustrated with black and white sketches by Mr. John Rae and by a dozen pen and ink maps, on which the routes of the various fugitives are exactly plotted. The publishers are to be congratulated on offering so attractive a volume, clearly printed in readable type, and in achieving a popular book with no sacrifice of scholarship. It is a credit to the publisher as well as author.

But there are some criticisms which should fairly be made in regard to these illustrative aides. The maps, while distinctly helpful, would be more so, in the opinion of this reviewer, if they had been fewer, but better assembled, so to speak; that is, if there had been one map to illustrate the flight of

each person or party. The reader is left to stumble on the fact that certain places which he has been vainly seeking can be located on a second map. In other words, one large, full-page map might well have replaced two smaller ones. At least, a table of the maps at the beginning of the book would have been in order to guide the reader as to what aids were available.

The research is worthy of commendation. The author has had access to first-hand material, some of it in private possession, to manuscript collections in Washington, and has had the opportunity of personal interviews with many persons who in one way or another were helpful. He has used his materials to good advantage, for he has absorbed the details until they impart a camera-like vividness to his tale. The reviewer has in mind such instances as the way the cabinet dined at Greensboro (p. 30-32), the way Governor Vance dressed his hair (p. 41), and the feast of "fish, bread and clabber," on which the members of Davis's baggage train "feasted sumptuously." The author also succeeds in presenting an account obviously based on diaries without reducing it to a mere catalog of events. It is written with real literary skill, whereby Mr. Hanna reproduces the atmosphere of a given locality, as on the Suwanee River (pp. 130-131), and on the Indian River (pp. 156, 172), where he paints the torture of the insects until the reader suffers with General Breckinridge and his party and is reduced to the point where he is glad that he is not that black ox which had such a special attraction for the mosquitoes that he was covered with blood.

On the whole, here is an admirable subject, long waiting for the hand of the historian, which has now received admirable treatment.

ELLA LONN.

* * *

Chapter VI of *Flight into Oblivion,* is largely based on the diary of Tench Francis Tilghman, native of Talbot County, who had been an engineer in the Confederate service in Richmond. Written while he was in charge of part of the baggage train of the fleeing Southern officials, the narrative has been edited by Dr. Hanna and appeared in the *Florida Historical Quarterly,* XVII, [159]-180 (Jan. 1939) under the title "Confederate Baggage Train Ends its Flight in Florida." The manuscript is owned by Tilghman's grandson, Dr. Tench F. Tilghman of St. John's College, Annapolis.—EDITOR.

The Bonapartes in America. By. C. E. MACARTNEY and GORDON DORRANCE. Philadelphia, Dorrance, 1939. 286 pp. $3.00.

Beginning with the obvious parallel between the marriage of Wallis Warfield Simpson to the present Duke of Windsor and of Elizabeth Patterson to Jerome, brother of Napoleon, this book traces the history of the Bonaparte clan in this country from the redoubtable Betsy's tragic romance to the present. The ramifications of this labyrinthine tale are thus compressed between the covers of one volume, though little of importance has been added to what already is known of it.

More than ten years are said to have gone into the preparation of the work, but there is scant evidence of extensive research in Baltimore where its roots are contained. The portrait of William Patterson's wayward daughter as "a cold, calculating person" has been more convincingly drawn by Susan Ertz

in *No Hearts to Break,* and many readers probably will question the wisdom of the device of presenting her grandson, the late Charles Joseph Bonaparte, largely through the eyes of Paul M. Burnett, his quondam law partner, and of the late Dr. Joseph Irwin France, his friend and political associate.

The most interesting chapter in the book probably is the one devoted to the Murats. Here the authors succeed admirably in evoking a flesh and blood Achille, with his curious aversion to water, and here is to be found some of the best writing in the book.

Collaborations are always difficult. If the present one falls short of the ideal synthesis, it does no more than most literary dualisms. To balance certain weaknesses of style it has an excellent format and is embellished with old portraits and engravings.

John Hanson of Mulberry Grove. By J. BRUCE KREMER. New York, Albert & Charles Boni, Inc., 1938. 188 pp. $2.50.

John Hanson and the Inseparable Union. By JACOB A. NELSON. Boston, Meador Publishing Company, 1939. 146 pp. $2.

Mr. Kremer's *John Hanson of Mulberry Grove* and Mr. Nelson's *John Hanson and the Inseparable Union* have much in common. Not only are they on the same man (often referred to as the first president of the United States), but they also appeared about the same time, and as far as can be ascertained neither author knew of the other's work. The two books are approximately the same length, neither boasts an index and both authors are lawyers. Mr. Kremer supplies a bibliography while Mr. Nelson suggests that "should any reader of this book desire a bibliography, it may be obtained from the author free of charge, or from the publishers at a very nominal cost" (pp. 13-14). This offer, unfortunately, will not be of much help to readers in the years to come, for books are prone to survive both authors and publishers.

Judging from these two books it would seem that a little research into Hanson's dates would be justified. Mr. Nelson says that Hanson was born April 3, 1721 (p. 32) and died November 15, 1783 (p. 143). Mr. Kremer gives the dates as April 3, 1715 (p. 69) and November 22, 1783 (p. 171) while the *Dictionary of American Biography* gives them as April 13, 1721 and November 22, 1783. Mr. Nelson's book contains a facsimile of a portion of the page from the *Maryland Gazette* dated November 21, 1783 (facing p. 144), which reads in part: "On Saturday last departed this life, at Oxenhill, the seat of Mr. Thomas Hanson, in the sixty-third year of his age, the honourable John Hanson, Esq. . . ." "Saturday last" would have been the 15th of the month and "*in* the sixty-third year of his age" would make 1721 plausible for the year of his birth.

Neither are the two authors in perfect accord as to Hanson's burial place although it is known that he died at Oxon Hill not far from his estate Mulberry Grove. Mr. Kremer, who now owns Hanson's old estate, says in his book "It seems probable that he was buried on his nephew's estate, as would have been the custom. If so even the exact location of his grave is lost to time" (p. 171). Mr. Nelson, however, says "The location of John Hanson's grave . . . has only recently been found . . . at Oxon Hill . . ." (pp.

143-4). The grave may, of course, have been located after the appearance of Mr. Kremer's book.

Both Mr. Kremer and Mr. Nelson stress the stand of the Maryland delegates on the "Western Land Question." They make much of the fact that Maryland laid no claim to this land advocating that it be used for the good of all the states, but they say little or nothing about the fact that Maryland had no legitimate claim to this land for she was one of the few states whose western boundary was definitely fixed by her charter.

In Mr. Kremer's book (facing p. 168) there is a curious error in the caption under a facsimile of a letter. The caption reads "Letter to John Hanson from Daniel of St. Thos. Jenifer." The letter is obviously from Hanson to Jenifer.

There are a number of points of interest to the critical reader in both books. For example Mr. Kremer (p. 76) says "About forty miles up river from St. Mary's another stream empties into the Potomac. It had been named Port Tobacco Creek." Captain John Smith on his map of 1606 at this place has the name Patapaco. The name Port Tobacco was not given to the creek; it was the result of folk etymology working on what was apparently an Indian place-name. Again, Mr. Nelson (p. 83) referring to Washington's appointment as commander-in-chief of the American army makes the astute observation that "There was now every indication that the struggle would continue until its final conclusion."

It is obvious after reading these two books that there is not sufficient material available on Hanson to warrant a book length biography. Both Mr. Kremer and Mr. Nelson have resorted to background, history, and genealogy in order to pad out this interesting but elusive Marylander. Mr. Kremer even goes so far as to devote his closing chapter to "The Scandinavian Influence in America." Generally speaking he stresses the Hanson family while Mr. Nelson emphasizes Maryland's part in the Western Land question. Both books should be of interest, especially to Marylanders, for the too often overlooked phase of the civil history of the Revolution which they depict. Quite readable as popular biography, neither is of much value to the serious student.

J. Louis Kuethe.

Maryland Revolutionary Records; Data Obtained from 3050 Pension Claims and Bounty Law Applications including 1000 Marriages of Maryland Soldiers and a List of 1200 Proved Services of Soldiers and Patriots of Other States. By Harry Wright Newman. Washington, the Compiler, 1938. 155 pp. $4.50.

Mr. Newman, who is a member of this Society, is by profession a genealogist. As such, he has examined all the original pension applications of Maryland veterans of the Revolution on file with the Federal government, and has left out only veterans identified as negroes or as married to non-white wives. For each claim he has made from the sworn application a complete digest, including all clues for genealogist or historian. The cases treated fall naturally into five classes, Revolutionary pensions, Revolutionary land claim-

ants, Revolutionary non-pensioners, Revolutionary marriages, and non-Maryland Revolutionary soldiers. The present book consists of one-line resumés of each case in the five classes, arranged alphabetically. Anyone wishing a guide to Maryland's Revolutionary bounty and pension claims and further aid in genealogical research will find them in this modest compilation.

ELIZABETH MERRITT.

Among the many publications written for the Delaware tercentenary celebration in 1938, Christopher Ward's *New Sweden on the Delaware* (University of Pennsylvania Press, 1938. 160 pp. $1.50), is one of the most readable. A condensation of his *The Dutch and Swedes on the Delaware, 1609-64,* published in 1930, the author relates the story of the first settlement in 1638 and the colony that was successfully established at that time. The *Delaware Tercentenary Almanack & Historical Repository* (Delaware Tercentenary Commission, 1938, unpaged) is a delightfully illustrated little volume with important or amusing events selected for each day of the year. Sunday, July 31, 1837, First railroad train runs from Baltimore to Wilmington. Thursday, August 18, 1737, George II of England orders Maryland and Pennsylvania to cease hostilities over boundaries.

Old Swedes Church, of Wilmington, steeped in the memories of two hundred and forty-one years, still stands today very much as it was built in 1698 of stone and brick and wood, and " with lime brought from Maryland by water in a sloop by James Lownes, and delivered unslacked." The account of its building, and of the congregation at that time, is told in an interesting volume by Charles M. Curtis and Charles L. Reese, Jr., in *Old Swedes Church, Wilmington, Delaware 1698-1938* (Delaware Tercentenary Commission, 1938, 52 pp.). Still another volume published by the Commission contains three papers on colonial Delaware. *Delaware—the First State in the Union* by George H. Ryden (Delaware Tercentenary Commission, 1938, 33 pp.) is a brief study of the part Delaware played in the Constitutional Convention at Philadelphia and of the subsequent ratification of the constitution by the Delaware convention. Among the five delegates from Delaware, John Dickinson and George Read, the head of the deputation, were the most outstanding. Both these distinguished gentlemen were born in Maryland, as was Richard Bassett, another of the delegates. John Dickinson, the author of the famous " Farmer letters " was born in Talbot County, while the others came from Cecil County. The second paper by M. M. Daugherty on *Early Colonial Taxation in Delaware* (51 pp.), is an explanation of the fiscal system in use from the first settlements of the Swedes to the time of the Revolution, showing how the life of the times and the experiences of the people conditioned the system which evolved. The last paper on *Colonial Military Organization in Delaware, 1638-1776* (55 pp., appendix), by Leon de Valinger, Jr. treats in detail of the Swedish and Dutch periods, the early English military system and the various colonial wars during the English period.

EDITH G. BOND.

Correction. In Mr. Francis B. Culver's review of the book *From Mill Wheel to Plowshare,* an account of the Orndorff family, published in the *Magazine* for June (p. 200), there were printed through error certain statements for which the reviewer had supplied revised texts. Owing to this confusion, for which the editor offers sincere apologies, it appeared that Christian Orndorff II, of "Mount Pleasant" on the Antietam, "was a Captain in the Maryland Line, serving until the close of the War." As Mr. Culver points out, this is a time-honored error which the volume in question has corrected. The second Christian Orndorff was a major in the 36th Battalion, Frederick County militia, a member of the Committee of Observation and member of the Committee of Safety. It was his son, Christian III, born in Pennsylvania in 1760, who at age 16, entered the Continental Army as 2nd Lieutenant in Captain John Reynold's Company of the Maryland "Flying Camp," his commission being dated July 18, 1776. He was in the battles of Harlem Heights, White Plains and was taken prisoner at the surrender of Fort Washington, having in the meanwhile been promoted to a Captaincy. He was exchanged on November 1, 1780. Soon afterward, while visiting his father on leave, he unearthed a Tory conspiracy to raise troops to fight under the British flag and was instrumental in bringing the leaders to trial and execution. He then joined the 6th Maryland Regiment as Captain under Colonel Otho Holland Williams and was present at the surrender of Cornwallis. He served as a Major in an expedition against the Indians on the Western frontier in 1794, was allowed a pension (for Revolutionary War Service) in 1818 and died on October 1, 1824 at his plantation in Washington county, Maryland. He was the father of five children, and his eldest son, Perry Orndorff, served under General William Henry Harrison.

Federal Archives in Maryland. As the result of a W. P. A. survey of local federal archives there is being published a series of some value to historical students. This is the *Inventory of Federal Archives in the States. No. 19, Maryland.* Baltimore, the Survey, 1938-1939. So far eleven mimeographed volumes have appeared, covering records in this State of Federal Courts, and of the departments of the Treasury, War, Navy, Justice, Interior, Agriculture, Commerce, Labor, Veterans Administration and Farm Credit Administration. The most important are those of the Bureau of Customs, Treasury Dept., which reveal the presence at Annapolis of a register of vessels, 1774 to 1797, a manifest of departures 1745 to 1849, vessels entering 1801 to 1812, and similar records at the Hall of Records for Patuxent District beginning in 1745, and Port of Nottingham beginning 1789. Records in the Baltimore Custom House embrace entrances and clearances, 1780 to 1933; registrations, carpenter certificates, 1790-1910, (in bundles); applications for letters of marque 1812-1815, records of ports of Chester and Havre de Grace, and various other series.

The inventory of naval material affords insight into the valuable collections at the Naval Academy where there is a collection of ships' logs occupying 9 feet of shelf space, collection of Washington manuscripts and a collection of drawings, charts and photographs. (Photos are said to date from 1814!).

War Department records in the State include detailed accounts of engineering works, the building for Fort Carroll and improvements at Fort McHenry, ordnance reports and expenses beginning as early as 1801, and various returns of other branches of the service dating from 1860. Few of the many series to which these volumes furnish keys are accessible to the public and many contain merely minutiae that have no interest outside the office of origin.

NOTES AND QUERIES

Among gifts of special interest recently received by the Society are the following:

Four ledgers presented by the Baltimore Transit Company containing the minutes of these turnpike companies: (1) Baltimore and York Town Turnpike Road, 1807 to 1813, and (2) 1861 to 1909; (3) Baltimore and Harford Turnpike Company, 1816 to 1937, with various gaps, and (4) the Charles Street Avenue Company, 1864 with breaks to 1936. These exhibit the history of some of the most important roads in this section from the inception of the corporations that built them to their final dissolution, with exception of the lapses in the records, and furnish interesting data regarding the engineering work, rights of way, contracts, materials used, state and county aid, and labor costs. The first record named above lists the 150 original subscribers to the company.

An interesting study of the early kitchens of the Pennsylvania Germans may be found in the *Proceedings and Addresses* of the Pennsylvania German Society for 1937, published in the current year. Henry K. Landis of the Landis Valley Museum of Lancaster, has made available in this 124-page paper, lavishly illustrated with photographs of interior and exterior views, furniture and utensils, the results of long-continued investigation in this field in which the Museum specializes. Copies of the publication are available in the library of the Society and at other local libraries.

PROVINCIAL AND GENERAL COURT SERIES OF JUDGMENTS IN THE HALL OF RECORDS

The Provincial and General Court Series of Judgments in the Hall of Records at Annapolis numbers in all 110 libers. A three volume index, made many years ago, gives partial access to the contents of these libers. Since the Hall of Records was opened, on October 1, 1935, ten of these libers have been meticulously indexed on cards, each name mentioned in each liber being noted whenever it occurs. Eventually the entire series will be similarly carded, but this will necessarily take considerable time. The libers are numbered serially from 1 to 105 (two having two parts each). There are also three pieces that have no serial number. The list of libers with the years covered in each piece is as follows:

JUDGMENTS

1. W.C. 1679-1684
2. T.G. 1682-1702
3. D.S. A 1684-1687
S.S. 1688-1689
4. D.S. C 1692-1693
5. T.L. 1 1694-1696
6. H.D. 1 1694-1729
7. I.L. 1698
W.T. No. 3 1699-1701
W.T. No. 4 1702
8. T.L. 3 1703-1705
9. T.B. 2 1705-1706
10. P.L. 1 1706-1707
11. P.L. 2 1707-1709
12. P.L. 3 1709-1710
13. T.P. 2 1711-1712
14. I.O. 1 1712-1713
15. V.D. 1 1713-1716
16. V.D. 2 1716-1717
17. V.D. 3 1717-1718
18. P.L. 4 1718-1719
19. W.G. 1 1719-1722
20. P.L. 7 1722-1724
21. W.G. 2 1724-1726
22. R.B. 1 1727-1728
23. R.B. 2 1729-1731
24. R.B. 3 1731-1732
25. W.G. 3 1732-1733
26. E.I. 1 1734-1735
27. E.L. [*sic;* E.I.] 2 1735-1737
28. E.I. 4 1737-1738
29. E.I. 5 1738-1739
30. E.I. 6 1739-1741
30A. E.I. 7 1742-1744
31. E.I. 9 1744-1748
32. E.I. 10 VOL. 1 1745-1748
33. E.I. 10 VOL. 2 1745-1748
34. E.I. 11 1748-1749
35. M.M. 1 1749-1760 [*sic*]
36. E.I. 13 1750-1751
37. E.I. 14 1751-1753
38. E.I. 15 1753-1754
39. G.S. 1 1755
40. B.T. 1 1756
41. B.T. 2nd 1756
42. B.T. 2 1757
43. B.T. 3 1757-1759
44. B.T. 5 1759-1760
45. D.D. 1 1760-1761
46. D.D. 2 1761-1762
47. D.D. 3 1762-1763
48. D.D. 4 1763
49. D.D. 5 1762-1764
50. D.D. 6 1764
51. D.D. 7 1764-1765
52. D.D. 8 1765
53. D.D. 9 1765
54. D.D. 10 1765-1766
55. D.D. 11 1766
56. D.D. 12 1767
57. D.D. 13 1767-1768
58. D.D. 14 1768
59. D.D. 15 1768-1769
60. D.D. 16 1769-1770
61. D.D. 17 1770-1771
62. D.D. 18 1771-1772
63. D.D. 19 1773-1774
63A. D.D. No. 20 1774-1776
64. D.D. 21 1775-1778
65. I.E. A 1778-1785
66. T.B.H. 1 1779-1780
67. T.B.H. 2 1781-1782
68. T.B.H. 3 1782
69. J.E. 1782-1786
70. T.B.N. 4 1788 [*sic;* 1783]
71. I.E. B 1785-1787
72. I.E. C 1787
73. I.E. D 1787-1789
74. I.E. E 1788
75. I.E. H 1789
76. I.E. I 1789-1790
77. I.E. F 1790
78. I.E. G 1790
79. I.E. J 1790-1795
80. I.E. L 1793
81. J.D. 1793-1797
82. J.E.M. 1794
83. B.W. 7 1797-1799
84. J.E. H 1798
85. J.E. Q 1798-1799
86. J.E. R 1799
87. T.D.M. 1 1788
88. T.D.M. 2 1789
89. T.D.M. 3 1790
90. B.W. 1 1795
91. B.W. 2 1795-1796

92. B.W. 4 1796-1797
93. B.W. 5 1796
94. B.W. 6 1797-1798
95. B.W. 6A 1797-1798
96. B.W. 7 1797-1798
97. B.W. 3 1798-1801
98 B.W. 9 1799
99. ————1801
100. B.W. 10 1800-1801
101. B.W. 10A 1801-1802
102. B.W. 1802-1803
103. J.P. A 1814-1818
104 Judicials 1804-1807
105. Bonds I.E.A. 1778-1791

It should be noted that liber 6 of this series has not been carded as this liber was published under the editorship of Chief Judge Carroll T. Bond, with the title *Proceedings of the Maryland Court of Appeals, 1695-1729* (The American Historical Association, Washington, D. C., 1933), and names occurring therein have been indexed. Cards will eventually be made, however, for this liber.

Consultation of this series as well as of all other materials in the Hall of Records, is, of course, free. Photostat copies can be made of any materials desired at the rate of fifty cents per photostat sheet. When two pages of the original liber (say, pages 2-3, or 10-11) are in juxtaposition, they can be photostated on one sheet. Materials can be typed at the rate of 12½ cents per hundred words. Sealed certification of the accuracy of any copy is made for twenty-five cents. Receipts are covered into the Treasury of the State and do not accrue to the Hall of Records.

The Judgments contain material of value to historians, economists, sociologists, and genealogists. Considerable use has been made of them.

JAMES A. ROBERTSON.

Otho Holland Williams Papers — A calendar of the papers of Otho Holland Williams has for some time been in preparation by the Historical Records Survey, and will shortly appear. It is hoped that it will include, not only the contents of the seven volumes, now bound and in use, but also that of five hundred or more pieces hitherto not available to the members. These later pieces make the Papers as a whole vastly more valuable and more interesting. Possibly they, too will be mounted and bound and placed beside the others.

Latrobe and the Washington Monument. In the commentary accompanying the papers relating to the Washington Monument, published in the *Magazine* for June, there appeared on page 159 a reference to Benjamin H. Latrobe's criticism of Mills with the suggestion that the former might have been one of the unsuccessful contestants for the honor of designing the Monument. The surmise was based on Robert Gilmor's letter which followed (page 160). In this connection Mr. Ferdinand C. Latrobe, II, calls attention to a statement of B. H. Latrobe in a letter to Maximilian Godefroy under date of April 1, 1810, an extract of which appeared in this Magazine, Vol. 29, page 208. Latrobe, after congratulating Godefroy on being asked to submit plans for the Monument, stated that he had had no letter from the managers and added: "I will never enter into a competition which your superiority of talent, as well as my most sincere affection for your person render impossible." This appears to eliminate Latrobe as an entrant in the contest.

A genealogy of the Warfield family, under the title *Captain Richard Warfield and His Descendants* is in course of preparation by Mr. Francis B. Culver, a member of the Society, who will welcome correspondence with interested persons. As stated in the printed prospectus, Joshua D. Warfield's *The Warfields of Maryland* is now out of print and data that have become available since that work was published 40 years ago, afford occasion for a new presentation. Mr. Culver's address is 1226 N. Calvert St., Baltimore, Md.

A study of the life and works of William Henry Rinehart, sculptor, protégé of the Walters and founder of the Rinehart scholarships at the Maryland Institute, is announced for early publication. The author is William Sener Rusk, a native of Baltimore, who has contributed from time to time papers about Rinehart to this *Magazine*. Besides a biography and Rinehart's letters, the book will include a description of his works and an account of the various sculptors who have held Rinehart scholarships. Printed on hand made paper and containing numerous photographs of the artist's works, it is to be published by Norman T. A. Munder of Baltimore.

Alexander and Azel Warfield—Founders of Anne Arundel and Howard Counties, 1905, p. 374, Article on Dorsey, says "Ann Dorsey (of Henry)—Davidge Warfield (of Azel)." *Colonial Families of United States.,* 1920, vol. 7, p. 49, article on Dorsey-Ball, says "7^2 Ann m. Davidge Warfield (of Azel)."

Davidge Warfield was the *son* of Alexander and *brother* of Azel. *Proof*: *Warfields of Maryland,* of which there are *two* editions both bearing date of 1898, gives in one edition p. 48, "*He* (Edward Warfield) married Mary, daughter of Davidge Warfield, of Alexander and Dinah (Davidge) Warfield"; also p. 59, "Davidge Warfield, of Alexander and Dinah (Davidge) Warfield, was his father's executor. He located upon 'Snowden Manor,' and married Ann Dorsey of Henry."

The other edition, p. 43, says, "Davidge Warfield, of Alexander and Dinah Davidge, was his father's executor. He bought a portion of Snowden's Manor, adjoining his *brother Azel's,* and married Ann Dorsey of Henry." Also p. 49, "Azel b. 1726 and Davidge b. 1729" are listed as children of Alexander.

The will of Alexander Warfield dated June 12, 1773, leaves property to "my son Davidge," and appoints him one of his executors. (Annapolis, Will Records, liber W. D. # 4: Book 39, folio 453, 1773-1775.)

Queen Caroline Parish Register, p. 203-4, records that Davidge Warfield, son of Alexander and Dinah was born Feb. 15, 1729. Copy in Md. Hist. Society Library.

An old Warfield manuscript inherited by me from my father, Cecilius Edwin Warfield, the great grandson of Davidge, records in three different places that Davidge was the son of Alexander. The probable explanation of the printed errors is that in the *Founders of Anne Arundel,* published 1905, the author or printer made a slip putting "Azel" for "Alex." and *Colonial Families,* published 1920, followed the mistake.

(Rev.) J. Ogle Warfield,
Philadelphia, Pa.

Owings; Frost—I am compiling genealogies of the Owings family of Baltimore County and the Frost family of Howard County and shall be glad to exchange information with persons interested in these families.

DONNELL M. OWINGS,
1513 Lafayette Ave., Mattoon, Illinois.

Mounts and Howard—I desire to express my appreciation of the *Mounts* data on page 204 of the June issue of the *Magazine*. I am one of the descendants of Col. Providence Mounts, and I have much data on this family. Thomas, a Revolutionary patriot, is buried in Switzerland County, Indiana, and his grave is so marked by our D. A. R.

The Mounts of Virginia and Maryland intermarried with Carpenter and Howard families, and we find many of these allied families in Ohio, Indiana and Kentucky. Mountstown, in Morgan County, Ohio, was founded by my direct ancestor. I will be glad to correspond with readers who desire Mounts data.

If new data is discovered on *Rezin Howard,* French and Indian War soldier of Frederick County, Maryland, member of All Saints Parish (very early), please let me know. Also the *Denune* family alliance. He married Esther Ashbrook, widow of John and became a large land-owner of Hampshire County, Virginia, near Romney.

(Mrs.) IDA HELEN MCCARTY,
Pennville, Indiana.

Forester. Data and ancestry desired of John Forester, b. ca. 1775 in Maryland, d. February 1857, Muskingum County, Ohio. Married Hannah Adams, date not known, probably of Pennsylvania. He served with Ohio Militia in War of 1812 and was sometimes known in Muskingum County, Ohio, as "John Foreacre." His two sons were Elijah and John. A brother is believed to have been William.

D. M. FORESTER,
Bin 151, Yuma, Arizona.

Tarleton—Who was the immigrant ancestor of the Tarleton Family of Maryland? Will any one having *any* information concerning this family communicate with me?

ANNA L. (Mrs. A. L.) FISHER,
Burnside, Kentucky.

Lamar—I desire the record of military service in Revolutionary War of William Bishop Lamar, of Frederick Co., Maryland, born 8-3-1745, died 8-29-1812, married Elizabeth Smith in 1767.

(Mrs. ROBT. E.) LILLIAN E. JOHNSON,
516 N. Irving St., Arlington, Va.
