

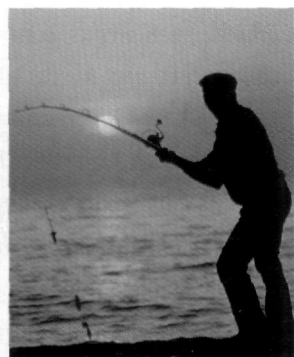
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Cover photography by John Bildahl. Assisted by Katie Boone.



# “IS THIS JUSTICE?”

## *A Woman's Plea in Colonial Maryland Puts Margaret Brent Ahead of Her Time*

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By Ann Jensen

**O**n January 21, 1648, Margaret Brent stood before the Maryland General Assembly at St. Mary's City and made the astonishing and courageous request that she be given a seat and a vote in that august body. To be openly and officially recognized as an equal with men was unheard of. For a woman to even think of such a thing in 17th century society put Mistress Brent centuries ahead of her time.

But then, Margaret Brent had long disdained the traditional role of women. The legislators should have seen it coming. She had been functioning for ten years as their equal in her business and legal dealings—as she pointed out that wintry day.

“Grant justice, and let the woman that hath equal risks with you have a equal voice in the government itself,” she said, ignoring the anger and discomfort she saw on the faces of the assembled legislators.

“Madam, you are out of order,” declared the chairman, in a futile attempt to quiet her. But Margaret Brent was not going to be silenced. Not easily.

“. . . because I am a woman, forsooth, I must stand by idly and have not a voice in framing of your laws, a voice in the making of the regulations which shall govern one who is among the largest landowners. Is this justice?”

Justice be damned! The legislators stared at her aghast. The affrontery of the woman!

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Who did she think she was, to speak to them as an equal? A woman's place was tending home and garden and raising much needed children. The only acceptable reason for her presence in the assembly rooms was to adorn the spectators' gallery. You didn't see other women stepping out of line like that.

But then, Margaret Brent wasn't like other women. And they knew it. Some were a bit sheepish in their opposition to her request. Admit it or not, she had a good claim to a voice in the government of the colony.

"I ventured among you and no man

the Parliament. The Maryland colony, which was an experiment in religious toleration by the Catholic Lords Baltimore, offered the Brents an opportunity to own land and control their own business and political affairs to an extent that was impossible in England.

It was an opportunity especially for Margaret and Mary Brent, both of whom were unmarried and remained so in spite of what must have been considerable pressure to wed, what with six men to every woman in the new colony. It could not have been easy for a woman alone in 17th century Mary-

chives.

Margaret Brent not only handled her own business and legal affairs, but those of family, friends and, eventually, the colony as well. She was in court more often than most men to collect debts owed to her. She appeared 134 times and won judgments in a majority of the cases in which she was the plaintiff.

Margaret, who became the first woman in Maryland to hold land in her own right, built a house which she and her sister Mary called the "Sisters Freehold." From there, she administered more than a thousand acres of land near St. Mary's and on Kent Island and did a considerable business in importing servants whose indentures she sold to other landed colonists. She also made loans to incoming settlers to help them get started.

Although Margaret Brent's business and legal dealings are well known, there remains a mystery as to why she and her sister never married, especially given the times in which they lived. For reasons that we will see, historians of a romantic bent have speculated about a personal relationship between Brent and Leonard Calvert, the colony's first governor. There is also the possibility that, short of belonging to a religious order, Margaret and Mary Brent may have taken some sort of vows of celibacy in service of the Jesuits and establishing the Catholic religion in Maryland. One final conclusion could be that they simply were determined to control their own lives and property.

But even with the breadth of the Atlantic Ocean between the colony in Maryland and the mother country, the Brents could not escape the divisive effects of the religious and political differences they had hoped to leave behind in England. In 1642, civil war broke out in England between Puritans and the Royalist supporters of King Charles I. Cecil Calvert, the second Lord Baltimore, was both a Royalist and a Roman Catholic and there were a number of Protestant factions on both sides of the Atlantic that had designs on his colony in Maryland.

In April 1643, Governor Leonard Calvert returned to England to attend to family and colony business, leaving Giles Brent as acting-governor. In his absence, the civil war was brought to Maryland by Richard Ingle, a pro-Puritan shipmaster, ostensibly trading in tobacco, but mainly intent upon stirring up trouble for the Catholics in Maryland. Giles Brent arrested Ingle for treason and confiscated his ship and cargo. But, St. Mary's City had no jail, so the sheriff, who made the mistaken assumption that Ingle was an honorable man, allowed him to stay on his



in the colony hath ventured more," she chided them. "Did I not find chaos, rents unpaid, accounts unkept, invasions of savages? You have seen my accounts, how they stand . . . I staked all I had, and whether I have succeeded or lost, I leave you to judge. Then, by one great loss, the questions of government were forced upon me. Have I met them? Is there a man amongst you who could have done aught more?"

The answer to her question was "no," and none could deny the service she had rendered the colony in the nine years since she first stepped ashore at St. Mary's City. They still were not about to give her a voice in government.

Just four years after the *Ark* and the *Dove* deposited the first 140 colonists at St. Mary's City, thirty-seven year-old Margaret Brent, her sister Mary and brothers Giles and Fulke arrived in Maryland. A Catholic family, the Brents were fleeing discrimination in England where Protestants controlled

land, even one with the wealth and status that Margaret Brent enjoyed.

A mirror of English society in its social structure, Maryland was patriarchal and a woman's place was strictly as housewife and mother. Her strength lay in her skills at managing the home and her ability to produce and raise healthy children.

Government, the owning of property and the conduct of business generally were left to the men. Their wives, if they participated at all in such affairs, did so from behind the scenes. Outwardly, at least, they owed complete obedience to their husbands. Single women usually deferred to fathers, brothers or some other guardian to handle things for them.

Margaret Brent was a rare exception and, by any standard, past or present, was an extraordinary woman.

"She had courage, enterprise, business ability, diplomatic skills and political acumen that would have made her outstanding in any society," said Lois Green Carr of the Maryland State Ar-

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Edwin Tunis

ship. Ingle simply hoisted anchor and sailed away.

By the time that Leonard Calvert returned to Maryland in September 1644, he found the colony on the verge of insurrection. In 1645, Ingle returned, commissioned by the Puritan-dominated Parliament as a privateer, and seized control of St. Mary's City. Then, in his ship *The Reformation*, Ingle sailed around the Bay terrorizing colonists loyal to King Charles. He burned the Catholic chapel in St. Mary's City and then set upon the homes of Catholic settlers, burning and plundering as many as he could find. He sent Giles Brent and the Jesuit priests to England in chains.

During the "time of trouble," as the period of Ingle's marauding was called, he was joined by William Claiborne who was attempting to maintain his hold on Kent Island by claiming it a part of Virginia.

Leonard Calvert was helpless under the onslaught and he and many of his Council of Advisors fled to Virginia, leaving the colony without leadership. The state of anarchy drove many others away and the population of Maryland dropped from 500 or 600 to fewer than 150—the number who had come on the *Ark* and *Dove* eleven years before.

The forces of Claiborne and Ingle took Margaret Brent's land and most of her belongings in St. Mary's and on Kent Island. She went into hiding and worked in secret to recruit supporters for Leonard Calvert, should he return to reclaim the colony.

Late in 1646, Calvert did return, bringing with him an army of refugee Marylanders and sympathetic Virginians to launch an attack on Ingle and Claiborne. He had no cash money to pay his soldiers, but pledged his own land and that of his brother Cecil, the second Lord Baltimore, once they had reclaimed their colony. In this confrontation, Leonard Calvert was victorious, chased Claiborne into Virginia and, among other things, restored Margaret Brent's possessions to her.

The victory cost him dearly though. Soon after he had reestablished Calvert control over the colony, Leonard Calvert became seriously ill. Until he died on June 9, 1647, Margaret Brent cared for him and handled his affairs, which has suggested to a number of historians that there was something going on between the lady and the governor.

That is possible, but it is just as likely that the scarcity of women forced Margaret Brent into the role of nurse. Her unquestioned business ability undoubtedly led him to name her the executrix of his estate when he realized his death

was near.

"Take all and pay all," Leonard Calvert directed Mistress Brent, and upon his death, she moved into his mansion, the better to do his bidding.

Almost immediately, the "questions of government" were thrust upon her and it was her courage and diplomacy that kept the colony in the hands of the Calverts. Margaret Brent had not even completed the inventory of Leonard Calvert's estate, when the men at Fort Inigoes who had fought against Ingle and Claiborne to restore Leonard Calvert's authority appeared with demands. They were facing starvation due to a growing shortage of food and wanted the pay they were promised.

Calvert left little money and Margaret Brent had no cash to pay the hungry soldiers. Nor did the new governor, Thomas Greene, whose enemies were waiting in Virginia for any event that would offer an opportunity to invade Maryland. Mutiny among the colony's defenders was just what they needed.

Margaret Brent acted swiftly and decisively. Since Leonard Calvert had acted as attorney for his brother Cecil, she asked that the Court declare her attorney-in-fact for Lord Baltimore in place of Leonard. In 1647, the Court and Governor's Council did so and she quickly sold a number of Cecil Calvert's cattle. With the money from the cattle, she bought corn to feed the soldiers and pay them off.

She was still struggling with settling Leonard Calvert's affairs and those of the colony when she had the audacity to request membership and a vote in the Maryland General Assembly. Actually, she asked for two votes, one as a landowner and one as Lord Baltimore's legal representative.

While her effort was fruitless, it did earn her a special place in history. She was the first woman in America to claim the right to vote, a distinction which she might have considered to be of dubious value, had she known of it. Margaret Brent lived in an age when no one, not even she, thought women should, as a rule, hold office or vote. A practical person, she simply found herself in a position where a voice in the assembly would have made her job much easier. With the fate of the colony still in doubt, she had little confidence in some of the men who would be making its laws. When they refused her request, she registered a blanket protest against any proceedings in the assembly in which she was not present and voting.

Back in England, Cecil Calvert, who had no idea of the actual conditions in his colony, objected to Brent's taking matters into her own hands and selling

his cattle. He wrote to the assembly condemning her high-handedness.

To their credit, the assembly came to her defense, and wrote to Cecil Calvert describing the disorders they had had to deal with, and ". . . as for Mrs. Brent's undertaking and meddling with your Lordships Estate here (whether she procured it with her own and others importunity or no) we do Verily Believe and in Conscience report that it was better for the Collony's safety at that time in her hands than in any mans else in the whole Province after your Brothers death for the Soldiers would never have treated any other with that Civility and respect and though they were even ready at times to run into mutiny yet she still pacified them . . . She rather deserved favour and thanks from your Honour for her so much Concurring to the Public safety then to be liable to all those bitter invectives you have been pleased to express against her."

Apparently, womanliness did have advantages, so long as the woman kept her place. Lord Baltimore continued distrustful and hostile, however, and the Brents became victims of a new policy the proprietor was observing to meet the changes in English politics. Perceiving the rise of the Puritans to power in Parliament, Cecil Calvert sought to conciliate them by showing disfavor to prominent Catholics and granting concessions to Protestants in Maryland. He replaced the Catholic governor Thomas Greene with William Stone, a backer of the Puritans, and gave the Protestants a majority in the upper house of the assembly.

By July 1650, Margaret had apparently had enough. She wrote to Gov. Stone, to say she no longer wanted to be involved in Maryland affairs "(I) would not entangle my Self in Maryland because of the Ld Baltimore's disaffectations to me and the instruccions he Sends aft us."

In that year, Margaret Brent moved to what is now Fairfax County, Virginia. There, she built a new home which she called "Peace" and there she died in 1673.

Margaret Brent was a woman who wasn't "afraid to challenge men and to claim the power to exercise her talents even in positions then forbidden to women," said Lois Carr. "At the same time, she was not afraid to be a woman. It was as a woman that she provided leadership in dealing with mutiny . . . The very act of seeking membership in the Assembly in an age when no one thought women should hold office or vote took an imagination, initiative and courage that arouses our admiration." 