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ARCHIVES OF MARYLAND

Edited by J. HALL PLEASANTS, M. D.

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(Journal and Correspondence of the State Council, Volume 8)

This, the 48th volume of the general series and the eighth of the sub-series dealing with the activities during the Revolutionary period of the Council of Safety and its successor, the State Council. It covers the Journal and Correspondence of the State Council for the three years from November 19, 1781, to November 11, 1784, thus furnishing a complete record of the proceedings of the Governor and Council, and the letters emanating from them, during the last two years of the Revolution and the year following the conclusion of the peace. This volume is a direct continuation of the Proceedings of the Council which appeared in Volume Six of the State Council sub-series (Archives, Vol. 45).

The great bulk of the entries are orders from the Council to the treasurers of the Eastern and Western shores to pay sundry individuals for their services or for supplies furnished, the orders specifying whether payments are to be made in bills of credit, in paper currency, or in specie.

The journals of the Council also record the issuance of commissions to various county officials, such as justices, judges of the orphans courts, sheriffs and coroners.

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No. 2.

MARYLAND AND THE STAMP ACT CONTROVERSY.

By PAUL H. GIDDENS.

The Treaty of Paris in 1763 ended the half century of conflict between England and France for supremacy in North America. With the conclusion of peace England was confronted with colonial problems of many different kinds and character. In America, old difficulties still existed and new ones had developed. The duty of governing the conquered inhabitants in Canada, Spanish Florida, and a part of French Louisiana was a most delicate task. Differences in race, religion, and law increased its complexity. More important and interesting was the management of the vast western domain lying between the Alleghenies and the Mississippi and south of the Great Lakes. In this region the rights to be considered were multifarious and jarring; Indians, fur traders, pioneer settlers, and land speculators made a solution extremely difficult. Especially pressing was the Indian problem, brought to an issue by the conspiracy of Pontiac.

Numerous causes were responsible for this famous insurrection.¹ Western savages hated the new masters because they had fought and killed their kinsmen. Furthermore, presents were either withheld altogether or niggardly doled out by the English, which

¹ Francis Parkman, *History Of The Conspiracy Of Pontiac And The War Of The North American Tribes Against The English Colonies After The Conquest Of Canada*, Boston, 1855, pp. 151-168.

was in sharp contrast to the French policy, and the sudden withholding of guns, ammunition, clothing, and other supplies was keenly resented by the Indians. Want, suffering, and death were the consequences. Then, too, English traders of the coarsest kind vied with one another in rapacity, violence, and profligacy; they cursed, cheated, plundered, and outraged Indian families. Moreover, the warriors were no longer welcome at the forts once held by the French; English officers and men received them with cold looks, harsh words, oaths, and threats. Finally, the intrusion of white settlers into the red man's ancient domain was another real source of Indian hostility. To encourage the spirit of discontent, French traders went among the Indians, held council meetings, liberally distributed arms, ammunition, clothing, provisions, and urged them to take up arms against the English. In Pontiac, the influential Ottawa chieftain, the Indians found an able leader by whose efforts a mighty conspiracy was organized. Under his direction the allied tribes rose up as one man in May, 1763, besieged English forts in the West, massacred the garrisons, and started a reign of terror along the thinly settled frontier regions.

Ever since the reduction of Fort Duquesne, Maryland frontiersmen had lived a quiet, peaceful life and by 1759, the westernmost part was as well settled as before the French and Indian War began.² But the Indian uprising of 1763 terrified many of the inhabitants and forced them to take refuge in the nearest forts. "Every Day, for some Time past," ran a news-item from Frederick in *The Maryland Gazette* for July 28, 1763, "has offered the melancholy Scene of poor distressed families driving downwards through this Town, with their Effects, who have deserted their Plantations, for Fear of falling into the Cruel Hands of our Savage Enemies, now daily seen in the Woods. And never was Panic more general or forcible than that of the Back Inhabitants, whose Terrors, at this Time exceed what

² Horatio Sharpe, *Correspondence of Governor Horatio Sharpe*, (Archives of Maryland), William Hand Browne, editor, Baltimore, 1888, Vol. II, pp. 326, 388, 361-362. Hereinafter referred to as *Sharpe Cor.*

followed on the Defeat of General Braddock, when the frontiers lay open to the Incursions of both French and Indians." The season had been remarkably fine and the harvest afforded the most promising appearance of plenty and goodness that had been known for many years, but it was now ruined by the enemy invaders.

Colonel Thomas Cresap of Old Town wrote Governor Horatio Sharpe of Maryland in July as follows: "I have enclosed a list of the desolate men and women and children who have fled to my house, which is enclosed by a small stockade for safety, by which you see what number of poor souls, destitute of every necessary of life, are here penned up, and likely to be butchered without immediate relief and assistance, and can expect none, unless from the province to which they belong."³ Sharpe at once dispatched several parties of militiamen to the frontier for patrol duty.⁴ Two barrels of powder and fifty stands of arms were sent to Fort Frederick where most of the people beyond that post had retired for shelter. But after July, no more hostile Indians were seen in the colony and peace reigned on the Maryland frontier. Although it came too late, the proprietor "of his own peculiar Gratuity" sent £200 sterling in gunpowder and ball to help repel the invaders.⁵

Pontiac's conspiracy was quickly crushed but it demonstrated the need of a more unified and effective control of Indian affairs. It also served to re-enforce the conviction already reached by the British government during the French and Indian War that the American colonies could not be trusted to provide adequately for their own defense. And it was necessary to protect the colonies as well as the newly acquired regions from the intrigues of the French, Spanish, and Indians. Both the safety of the colonies and the Empire demanded the permanent establishment of a strong force in America. British financial resources, however, had already been severely strained to save the colonies from

³ *Ibid.*, Vol. III, p. 104.

⁴ *Ibid.*, pp. 100, 105, 114.

⁵ *Ibid.*, pp. 140, 168, 182.

foreign foes and Englishmen felt the colonies should help contribute towards that end.⁶ The requisition system had proved absolutely unworkable during the late war and the only other recourse was parliamentary taxation; the latter method had been repeatedly advocated by Shirley, Sharpe, Dinwiddie, Braddock, and Loudoun.⁷ The British government decided, therefore, in 1763 to keep a standing army of 10,000 men in America and tax the colonies for their support in part.

The Sugar Act of 1764 was passed by Parliament for the express purpose of raising revenue to defend, protect, and secure the British colonies in North America.⁸ Instead of the old molasses duty of 6d. per gallon, which, if enforced, would have prohibited the trade and yielded no revenue, a lower duty of 3d. per gallon was levied. Duties were levied not only upon molasses and sugar from foreign ports but also upon coffee, wines, East India goods, and other foreign commodities. The revenue from the Sugar Act, however, covered only about one-seventh of the cost of maintaining the army in America and was considerably less than what was deemed the just proportion of the colonies. Other American sources of revenue were sought and in 1765, Grenville introduced the famous Stamp Act which became a law on March 22, with scarcely any opposition.

Upon the passage of the Stamp Act the brewing storm of discontent broke in America and violent methods were used to resist this innovation in British colonial policy. On April 18, 1765, there appeared in *The Maryland Gazette* the following death-like announcement: "This Gazette, No. 1041, Begins the Twenty-first Year of Its Publication: But alas! must soon Droop and Expire, at least for some time, if the melancholy and alarming Accounts, we have just heard from the Northward, prove True, That an Act of Parliament is shortly to take Place

⁶ George Louis Beer, *British Colonial Policy, 1754-1765*, New York, 1907, pp. 265-273.

⁷ Winfred Trexler Root, *The Relations of Pennsylvania With the British Government, 1696-1765*, New York, 1912, p. 329.

⁸ Beer, *op. cit.*, pp. 274-284.

⁹ *Ibid.*, pp. 285-286.

laying a heavy and insupportable STAMP DUTY on all American Gazettes." Unless a sufficient number of subscriptions could be secured at an "unavoidable advanced price," the editor informed his readers that he must cease publication. When further reports confirmed the passage of the Stamp Act the people of Maryland were "much disgusted," especially since a "Notion had been entertained by many that Maryland was by its Charter particularly exempted from all Impositions except what should be laid by the Assembly . . ." ¹⁰ "We are a good deal allarm'd at the stamp-Act," Benedict Calvert reported. "& I can't imagine where the different provinces will find the money to pay the Duty; I am Certain we have not enough in Maryland to pay one year's Tax." ¹¹ Lawyers without exception were "most violent" in their denunciations of the Act. Governor Sharpe felt, however, "their Warmth" would soon abate and that there would be no opposition to the execution of the Stamp Act. ¹² But heated debates and discussions continued throughout the summer.

In August, it was learned that Zachariah Hood, an Annapolis merchant, had been named stamp distributor for Maryland. ¹³ Hood had gone to England to secure supplies for his store and while there, he received the appointment. It was a complete surprise to Marylanders, who could not understand through whose influence he had secured the office. ¹⁴ Hood told Sharpe, however, that Secretary Calvert had assisted him in obtaining the position. ¹⁵ An anonymous London writer said it was due to Hood's many eminent services to the king and country during the last war. Commenting upon the appointment, the London gentleman wrote to an Annapolis friend as follows: "It gives too many here Pleasure to find, that, let them make what Laws they

¹⁰ *Sharpe Cor.*, Vol. III, p. 210.

¹¹ *The Calvert Papers* (Fund Publication, Vol. XXXIV, Maryland Historical Society), Baltimore, 1894, p. 261.

¹² *Sharpe Cor.*, Vol. III, p. 210.

¹³ *Ibid.*, p. 220.

¹⁴ *Ibid.*, p. 220.

¹⁵ *Ibid.*, p. 220.

please, to cramp your Trade, and destroy your Freedom, there are not wanting Sycophants enough in your own Country to sue for Commissions to put those very Laws in Execution among their nearest Relations and Friends. *Oh! Degeneracy of ancient Britons! America! how thou art fallen! When even thy own Offspring who have been nurtured with all the Tenderness of maternal Affection, are base enough to solicit thy Oppressors to make them the Instruments of thy Destruction.* From the Conduct of your Americans now in *England*, we doubt not but Mr. H—d will be highly applauded among you by all those Patriots who set out with the Old Man's Maxim, Get Place and Wealth, if possible, with Grace, If not, by any Means get Wealth and Place.¹⁶

When Hood returned to Maryland in August, 1765, people assembled in all parts of the province to express their indignation and contempt.¹⁷ "Our stamp-master, Zachariah Hood," Charles Carroll of Carrollton wrote to Edmund Jennings in September, 1765, "is hated and despised by everyone; he has been whipped, pilloried and hanged in effigy, in this place, Baltimore town, at the landing; the people seem determined not to buy his goods."¹⁸ Actuated by the same riotous spirit as those in Boston, New York, and other places, the Marylanders either burned or hanged Hood in effigy in a dozen different places.¹⁹ At Annapolis they prepared a figure representing Hood, placed him in a horse-cart, and while a bell tolled a solemn knell, the figure was paraded through the streets till noon. He was then killed, placed in a pillory, and finally hung to a gibbet erected for that purpose. A barrel of tar was lighted underneath the effigy and it was burned down. Exhibitions of this sort were

¹⁶ *The Maryland Gazette*, August 22, 1765.

¹⁷ *Sharpe Cor.*, Vol. III, p. 225; George T. Hollyday, "Biographical Memoir of James Hollyday," *Pennsylvania Magazine of History and Biography*, Vol. VII, p. 428.

¹⁸ Kate Mason Rowland, *The Life of Charles Carroll of Carrollton*, New York, 1898, Vol. I, p. 73.

¹⁹ *The Maryland Gazette*, August 29, 1765, September 5, 1765; *Sharpe Cor.*, Vol. III, p. 223.

very common. A week later a mob of three or four hundred assembled at night in Annapolis and wrecked the store Hood was repairing for the reception of his imported merchandise.²⁰ So bitter was the sentiment against Hood that no one dared oppose the mob or even signify his disapproval and no one would accuse another individual of being a party to the destruction. If any person had been committed to jail for participating in the riot, he would probably have been rescued immediately by the mob. Governor Sharpe believed that if Hood had been "a Person of any Note in the Province or connected with people of any Consequence," he might not have been treated with such great indignity.²¹

Terrified and fearful for his life, Hood sent a letter the next day after his store was destroyed to Sharpe asking protection and seeking advice as to whether or not he should resign. Although the governor was reluctant to advise his resignation, he offered Hood the protection of his home.²² Popular feeling ran so high, however, that friends and relatives urged Hood to leave for New York, which he did. If Hood had attempted to perform his duties, Sharpe was certain that he could not have been successful. "I assure your Ldp," the Maryland governor wrote Lord Baltimore, "that when the People are so unanimous in opposing the execution of a Law as they are on this Occasion nothing but a Military Force can procure obedience to it."²³ Even though driven out of the colony, his fortune gone, and his business ruined, Hood assured the Commissioner of Stamps that he would discharge his duty whenever it was within his power. But the Sons of Liberty of New York, feeling that their province should not harbor a stamp distributor from a neighboring colony, threatened him with violence unless he resigned.²⁴ Hood

²⁰ *Sharpe Cor.*, Vol. III, p. 225.

²¹ Sharpe to William Sharpe, October, 1765. An original letter in the Library of Congress.

²² *Sharpe Cor.*, Vol. III, pp. 221, 222-223, 225-226.

²³ *Ibid.*, pp. 257, 262, 266.

²⁴ *The Maryland Gazette*, January 30, 1766; "Resistance to the Stamp Act," *Maryland Historical Magazine*, Vol. IV, p. 135.

yielded on November 28, 1765, but did not return to Maryland until some months later.

Those who had any possible connection with Hood in Maryland were quick to disclaim it. Alexander Laing of Vienna inserted the following notice in *The Maryland Gazette* for September 19, 1765: "These are to certify to the Public in general, That whoever says that I am appointed Deputy Stamp Master for Dorchester Somerset and Worcester Counties, is a Lyar; and I declare that I will not accept an Office so Detestable and Injurious to the Country."²⁵ On September 26, 1765, Thomas Hyde informed the public that "Whereas it hath been Reported, That the Subscriber is in Partnership with Mr. Zachariah Hood, and that my Son was sent for from Philadelphia to keep his Store, and assist him in his Office: This is to inform the Public That this Report is without Foundation, and that I never had any such Thought, nor have I any connexion in Business with Mr. Hood of any Kind, and that the whole Reason of my Son's coming to Maryland was to see me, there being a Vacation in the College, where he lives, to give the Youth an Opportunity to visit their Friends."²⁶

With Hood out of the way, all the practicing lawyers of the provincial court and many other gentlemen petitioned Governor Sharpe to summon the assembly immediately despite the small-pox epidemic.²⁷ The Massachusetts Circular Letter had arrived in Maryland and it seemed to be the universal desire of the people that representatives should be sent to the New York meeting. Since there was great reason to believe that the Maryland assembly would meet anyway, the council advised the governor to summon the members. It is interesting to note the instructions prepared by the freemen of Anne Arundel county for their delegation. The delegates were to assert clearly the right of the colonists under the Magna Carta and the Maryland charter and to assist in sending a delegation to New York. On the question

²⁵ *The Maryland Gazette*, September 19, 1765.

²⁶ *Ibid.*, September 26, 1765.

²⁷ *Sharpe Cor.*, Vol. III' pp. 212, 230-231.

of assenting to the Stamp Act, the freemen inquired, "How then in Point of NATURAL or CIVIL LAW, are we rightly chargeable, or liable to be burdened, by the Stamp Act, attempted to be imposed upon us by the Mother-country? Have we assented to it personally or representatively? If we have not, which is notorious to the World, the MINISTER'S virtual Representation, adduced argumentatively, in support of the Tax on us, is fantastical and frivolous."²⁸

When the Maryland assembly met on September 23, there was almost a full attendance. After remonstrating with the Governor for not having summoned them sooner, the delegates began a discussion of the Massachusetts Circular Letter. Three members, Edward Tilghman, William Murdock, and Thomas Ringgold, were appointed to represent the colony at the Stamp Act Congress and the assembly appropriated £500 for their expenses.²⁹ A committee composed of James Hollyday, Thomas Johnson, Edmund Key, John Goldsborough, John Hammond, Daniel Wolstenholme, and John Hanson, Jr., drafted instructions for the representatives, which empowered them to join with the other colonies in a "General, and United, Dutiful, Loyal, and Humble Representation" to his Majesty and Parliament concerning the circumstances of the colonies and pray for relief from the restraints on trade, the Stamp Act, and the restoration of trial by jury. "That they take Care that such Representation shall," ran the instructions, "humbly and decently, but expressly contain, an Assertion of the Rights of the Colonists, to be exempt from all and every Taxation and Impositions upon their Persons and Properties, to which they do not Consent in a Legislative Way, either by themselves, or their Representatives, by them freely chosen and appointed."³⁰ Resolutions declarative of the "Constitutional Rights and Privileges of the Freemen of the Province," formed by William

²⁸ *The Maryland Gazette*, October 24, 1765.

²⁹ *Votes and Proceedings of the Lower House of Assembly of the Province Maryland*, September, 1765, pp. 4-17. Hereinafter referred to as *Votes and Pro. L. H.*

³⁰ *Ibid.*, p. 5.

Murdock, Edward Tilghman, Thomas Ringgold, Samuel Chase, Samuel Wilson, Daniel Wolstenholme, John Goldsborough, John Hammond, Henry Hollyday, Charles Grahame, Edmund Key, B. T. B. Worthington, Thomas Johnson, and James Hollyday, were then adopted. These resolutions ran as follows: ⁸¹

“ I. Resolved Unanimously, That the first Adventurers and Settlers of this Province of Maryland, brought with them, and transmitted to their Posterity, and all other of his Majesty’s Subjects, since inhabiting in this Province, all the Liberties, Privileges, Franchises, and Immunities, that at any Time have been held, enjoyed, and possessed, by the People of *Great Britain*.

II. Resolved Unanimously, That it was granted by *Magna Carta*, and other good Laws and Statutes of *England*, and confirmed by the Petition and Bill of Rights, that the Subject should not be compelled to contribute to any Tax, Tallage, Aid, or other like Charge, not set by common Consent of Parliament.

III. Resolved Unanimously, That by a Royal Charter, granted by his Majesty King Charles the First, in the Eighth Year of his Reign, and in the Year of our Lord One Thousand Six Hundred and Thirty-two, to *Cæcilius*, then Lord Baltimore, it was for the Encouragement of People to transport themselves and Families into this Province, amongst other Things, covenanted and granted, by his said Majesty, for Himself, and his Heirs, and Successors, as followeth:

We will also, and of our more abundant grace, for us, our heirs, and successors, do firmly charge, constitute, ordain, and command, that the said province be of our allegiance; and that all and singular the subjects and liege-men of us, our heirs and successors, transplanted, or hereafter to be transplanted into the province aforesaid, and the children of them, and of others their descendants, whether already born there, or hereafter to be born, be and shall be natives and liege-men of us, our heirs and successors, of our kingdom of England and Ireland; and in all things shall be held, treated, reputed, and esteemed as the faithful liege-men of us, and our heirs and successors, born within our kingdom of England; also lands,

⁸¹ *Ibid.*, pp. 9-10.

tenements, revenues, services, and other hereditaments whatsoever, within our kingdom of England, and other of our dominions, to inherit, or otherwise purchase, receive, take, have, hold, buy, and possess, and the same to use, and enjoy, and the same to give, sell, alienate and bequeath; and likewise all privileges, franchises and liberties of this our kingdom of England, freely, quietly, and peaceably to have and possess, and the same may use and enjoy in the same manner as our liege-men born, or to be born within our said kingdom of England, without impediment, molestation, vexation, impeachment, or grievance of us, or any of our heirs or successors; any statute, act, ordinance, or provision to the contrary thereof, notwithstanding.

And further We will, and do, by these presents, for us, our heirs and successors, covenant and grant to, and with the aforesaid now baron of Baltimore, his heirs and assigns, that We, our heirs and successors, at no time hereafter, will impose, or make or cause to be imposed, any impositions, customs, or other taxations, quotas or contributions whatsoever, in or upon the residents or inhabitants of the province aforesaid for their goods, lands, or tenements within the same province, or upon any tenements, lands, goods or chattels within the province aforesaid, or in or upon any goods or merchandises within the province aforesaid, or within the ports or harbors of the said province, to be laden or unladen: And We will and do, for us, our heirs and successors, enjoin and command that this our declaration shall, from time to time, be received and allowed in all our courts and pretorian judicatories, and before all the judges whatsoever of us, our heirs and successors, for a sufficient and lawful discharge, payment, and acquaintance thereof, charging all and singular the officers and ministers of us, our heirs and successors, and enjoining them, under our heavy displeasure, that they do not at any time presume to attempt any thing to be contrary of the premises, or that may in any wise contravene the same, but that they, at all times, as is fitting, do aid and assist the aforesaid inhabitants and merchants of the province of Maryland aforesaid, and their servants and ministers, factors and assigns, in the fullest use and enjoyment of this our charter.

IV. Resolved, That it is the Unanimous Opinion of this House, That the said Charter is Declaratory of the Constitutional Rights and Privileges of the Freemen of this Province.

V. Resolved Unanimously, That Trials By Juries, is the grand Bulwark of Liberty, the undoubted Birthright of every Englishman, and consequently of every British Subject in America; And that the Erecting other Jurisdictions for the Trial of Matters of Fact, is Unconstitutional, and renders the Subject insecure in his Liberty and Property.

VI. Resolved, That it is the Unanimous Opinion of this House, that it cannot, with any Truth, or Propriety, be said, That the Freemen of this Province of Maryland are Represented in the British Parliament.

VII. Resolved Unanimously, That his Majesty's liege People of this ancient Province, have always enjoyed the Right of being Governed by Laws, to which they themselves have consented, in the Articles of Taxes, and internal Polity; and that the same hath never been forfeited, or in any other way yielded up, but hath been constantly recognized by the King and People of *Great Britain*.

VIII. Resolved Unanimously, That it is the Unanimous Opinion of this House, That the Representatives of the Freemen of this Province, in their Legislative Capacity, together with the other Part of the Legislature, have the sole Right to lay Taxes and Impositions on the Inhabitants of this Province, or their Property and Effects; And that the Laying, Imposing, Levying, or Collecting, any Tax on, or from the Inhabitants of Maryland under Colour of any other Authority, is Unconstitutional, and a direct Violation of the Rights of the Freemen of this Province."

Before the assembly took a recess, Sharpe inquired what he should do in case the stamped paper arrived. Hood had left the colony, there was no one to receive it, and if landed, the chief executive was afraid the paper would be burned.³² But the lower house refused to suggest any solution.

Two days after the mob destroyed Hood's store and while the people were still in an angry mood, a tender belonging to his Majesty's sloop, the *Hornet*, came to Annapolis.³³ Scarcely had the boat dropped anchor before a number of townsmen

³² *Ibid.*, pp. 2, 11, 12.

³³ *Sharpe Cor.*, Vol. III, p. 226.

went aboard to find out whether or not it carried any stamped paper. Officer Mewbray would neither answer the query nor make known his business. In the evening Mewbray and two of his passengers went to the city tavern for supper. Shortly, one of the townsmen who had gone aboard the tender came into the tavern and fastened to his hat was a paper on which appeared the words "No Stamp Act." Mewbray, considering it an affront, put the man out of the room and called four of his crew to prevent his return. This led to a dispute between one of Mewbray's passengers, "who was in liquor," and John Hammond, one of the leading liberals in the Maryland assembly. To determine the controversy, the disputants agreed to a boxing match in which Hammond was worsted. During the fight, some ill-designing persons went about the city crying that the officer was murdering Hammond. A mob gathered, fell upon the officer, and wounded him, while one passenger was forced to swim aboard the tender in order to save his life. This affair, the treatment of Hood, and the refusal of the lower house to give its consent to landing the stamped paper led the Maryland council to recommend that, in case the stamped paper arrived, it should be kept on board one of his Majesty's warships.

After the Maryland assembly had adjourned and while the Stamp Act Congress was in session, there came from the printing office in Annapolis on October 14, 1765, an anonymous pamphlet entitled "Considerations On The Propriety Of Imposing Taxes in the British Colonies."³⁴ Avoiding generalities, the author narrowed his argument to the exact power of the act—the power to impose internal taxes on the colonies without their consent for the single purpose of revenue. He argued the question like a statesman discussing the principles of the Brit-

³⁴ J. Thomas Scharf, *History of Maryland From the Earliest Period to the Present Day*, Baltimore, 1879, Vol. I, p. 546; John H. B. Latrobe, "Biographical Sketch of Daniel Dulany," *Pennsylvania Magazine of History and Biography*, Vol. III, p. 4; *The Maryland Gazette*, October 31, 1765; Daniel Dulany, "Daniel Dulany's Considerations," *Maryland Historical Magazine*, Vol. VI, pp. 374-375, 376-406, also Vol. VII, pp. 26-59; Richard Henry Spencer, "Hon. Daniel Dulany, 1722-1797," *Maryland Historical Magazine*, Vol. XIII, p. 146.

ish Constitution. In a clear, simple, and forcible manner he contended that the colonists were not represented in Parliament and could not effectually be represented; that taxation without representation was a violation of the common law of England; and that in no previous exercise of parliamentary power over the colonies was revenue the sole purpose. On the other hand, he admitted that the colonies were subordinate to Parliament, and that Parliament had an unquestioned right to regulate colonial trade and if the regulations produced an incidental revenue, it was nevertheless legal. The literary power, the legal learning, the moderation of tone, the appeal to reason rather than feeling, and the fearless argument attracted immediate attention. Men in the colony capable of handling the problem in such a forceful way were few and before long, it was everywhere known as the work of Daniel Dulany. Of the pamphlet, Charles Carroll of Carrollton said, "It is wrote with that strength and solidity of arguments as must convince the understanding of the unprejudiced; and with that elegance and beauty of style as cannot fail pleasing good judges and men of taste."⁸⁵ It became at once one of the best defenses of colonial rights and had a direct influence on the form in which Pitt, speaking for the repeal of the Stamp Act, expressed his views.

As the day approached when the Stamp Act should go into effect, it was anticipated that no business would be transacted in Maryland. Charles Carroll of Carrollton said the people were "so enraged that they will, 'tis thought, proceed to the greatest lengths, even to ye burning of the stamps; should the stamps be burnt all law proceedings and indeed every other business will be at a stand . . ." ⁸⁶ On the front page of *The Maryland Gazette* for October 10, there appeared in large letters across the top the word "EXPIRING". The paper might have been published three weeks longer, but this issue completed the subscription year and it ceased publication at this time.

⁸⁵ Thomas Meagher Field, editor, *Unpublished Letters of Charles Carroll of Carrollton and of His Father, Charles Carroll of Doughoregan*, New York, 1902, p. 95.

⁸⁶ *Ibid.*, p. 95.

Another indication that business would stop and the stamp tax not paid is found in the following notice of Benjamin Welsh, which appeared in *The Maryland Gazette* for September 5, 1765. "I am informed," ran the notice, "that the STAMP LAW takes place the first Day of November next; I therefore hereby give Notice to all officers whatever, that may be appointed by Virtue of that most grievous and unconstitutional Act (to prevent them Trouble) That I will Pay no tax whatever but what is laid upon me by my Representatives." Significant is the fact that even before November 1, 1765, a large number of people, out of resentment to the mother country, were actually preparing and some had already begun to manufacture their own clothes.³⁷ "A great many gentlemen," declared Charles Carroll of Carrollton in September, 1765, "have already appeared in homespun, and I hope soon to make one of the number."³⁸ Within a short time it became very fashionable for gentlemen of quality and fortune to appear clad in home-made clothes.³⁹ Governor Sharpe believed that the people would go on manufacturing and boycotting British goods even though the Stamp Act might be immediately repealed.

All the public offices, custom houses, and nearly all the courts closed on November 1, 1765.⁴⁰ Business was at a standstill for the lack of stamps. In Frederick county, however, the court never closed. The magistrates, considering the bad consequences which might result from closing, resolved in a very full session that all business should be transacted in the usual manner without stamps.⁴¹ On account of his refusal to comply with the order, the clerk was committed to prison for contempt, but soon repented, agreed to follow court directions, and was released. To celebrate the court's independence, the Sons of Liberty

³⁷ Sharpe to William Sharpe, October, 1765. An original letter in the Library of Congress.

³⁸ Rowland, *op. cit.*, Vol. I, p. 75.

³⁹ *The Maryland Gazette*, March 27, 1766.

⁴⁰ *Sharpe Cor.*, Vol. III, pp. 240, 260.

⁴¹ *The Maryland Gazette*, December 10, 1765; *Sharpe Cor.*, Vol. III, pp. 253-254.

assembled at the home of Samuel Swearingen and formed an elaborate parade.⁴² Accompanied by drums and banners, a coffin, bearing the inscription on the lid "The Stamp Act, Expired of A Mortal STAB Received from the Genius of Liberty In Frederick County Court, 23d November 1765 Aged 22 Days" and with the words "tyranny," "villanage," "Fines," "Imprisonment," and "military executions" written on the sides, was carried through the principal streets of Frederick. Behind the casket, riding in an open chariot, was an effigy of Zachariah Hood with a pale and dejected countenance. With bells ringing, the procession moved to the gallows on the courthouse green where the funeral oration was delivered. Then with loud huzzas and a roll of drums both the corpse of the Stamp Act and the effigy of Hood was placed in a grave and buried. The crowd thereupon returned to Swearingen's home to participate in an elegant supper and ball. Of the action of the Frederick county court, Charles Carroll of Carrollton wrote, "This conduct, in my apprehension, is but rational and a necessary consequence, if the people would act consequentially, of what they have already done: since a suspense from business implies a tacit acquaintance of the Law, is at least ye right or of ye power of imposing such Laws upon us: the right we deny upon ye soundest of reasoning, and the power we should oppose by All lawful means."⁴³

By February, 1766, an association known as the Sons of Liberty had been formed in Baltimore. A short time later, another association was formed in Annapolis under the leadership of Samuel Chase and William Paca. The Baltimore group immediately resolved that public officials should open their offices and transact business without using stamps.⁴⁴ This resolution was conveyed to Annapolis and read before a public assemblage on the hill. Speaking of this meeting, Charles Carroll of Carrollton said, "The subscribers were

⁴² *The Maryland Gazette*, December 10, 1765.

⁴³ Field, *op. cit.*, p. 104.

⁴⁴ *Ibid.*, p. 112; *The Maryland Gazette*, March 6, 1766.

men of little note; some expressions were very unguarded, to say no more. The scheme of opening ye offices seemed to ye most thinking men of ye town, improper at that juncture. We had felt ye inconvenience from a suspension of public business, and knew them, however grievous, not insupportable. It was but waiting a few weeks longer, when we had reason to expect very favourable accounts from England; it was time to act desperately, when our affairs were desperate; should force be used to carry ye act into execution, there was little prospect of its being opposed with any success: these reasons urged by ye principal gentlemen of ye town had the desired effect. Nothing was concluded. . . .”⁴⁵ Two days later the Sons of Liberty came to Annapolis and, after some discussion, asked the public officials to open their offices on or before March 31. The Sons of Liberty then adjourned to meet again on March 31. On that day, they renewed their application to the provincial court. The judges at first refused to heed the request but finally weakened and agreed to transact business without using the stamps. Similar applications to other public officers brought the desired results.⁴⁶ By April 3, the courts in Anne Arundel, Cecil, Queen Anne, Somerset, and Worcester counties were transacting business in violation of the law. It was confidently expected that other county courts would soon follow their example.

For his part in the movement to force the stamp distributor to resign and to open the public offices, the opponents of Samuel Chase called him “a busy body, a restless incendiary, a ring-leader of mobs, a foul mouthed and inflaming son of discord and faction, a promoter of the lawless excesses of the multitude.”⁴⁷ Chase replied to them in the following manner:

⁴⁵ Field, *op. cit.*, p. 112.

⁴⁶ *The Maryland Gazette*, March 6, 1766; J. Thomas Scharf, *History of Baltimore City and Baltimore County*, Philadelphia, 1881, pp. 66-67; *Proceedings of the Council of Maryland* (Archives of Maryland), William Hand Browne, editor, Baltimore, 1911, Vol. XXXII, pp. 121-123; *The Maryland Gazette*, April 3, 1766; *Sharpe Cor.*, Vol. III, pp. 303-304.

⁴⁷ Walter B. Norris, *Annapolis, Its Colonial and Naval Story*, New York, 1925, p. 120.

“ Was it a mob who destroyed, in effigy, our stamp distributor? Was it a mob who assembled here from the different counties, and indignantly opened the public offices? Whatever vanity may whisper in your ears, or that pride and arrogance may suggest, which are natural to despicable tools of power, emerged from obscurity and basking in proprietary sunshine you must confess them to be your superiors, men of reputation and merit, who are mentioned with respect, while you are named with contempt, pointed out and hissed at, as *fruges consumere nati*.

“ I admit that I was one of those who committed to the flames in effigy the stamp distributor of this province, and who openly disputed the parliamentary right to tax the colonies, while you skulked in your houses, some of you asserting the parliamentary right and esteeming the Stamp Act as a beneficial law. Others of you meanly grumbled in your corners, not daring to speak of your sentiments.”⁴⁸

Ten days after the Sons of Liberty forced the provincial court to transact business, news of the repeal of the Stamp Act arrived in Maryland. It was a joyous occasion and caused public celebrations in almost every town.⁴⁹ In Annapolis the day was spent in “ mirth ” and in drinking loyal and patriotic toasts. At Joppa the news was proclaimed by the ringing of bells, the illumination of every house in town, and every other “ decent signal of joy.” A subscription was opened in Chester Town for erecting a monument at Annapolis in honor of Pitt. Emblems of Discord were buried at Queens Town and a pillar was erected to Concord. When the Maryland assembly adjourned in May, the members met in the council house where they drank “ patriotic ” toasts while the guns at the dock boomed a salute. “ Tranquillity & good Order is now perfectly restored here & the late Distractions will I hope soon be forgotten,” declared the Governor in June, 1766.⁵⁰ Hood had even ventured back

⁴⁸ John Martin Hammond, *Colonial Mansions of Maryland and Delaware*, Philadelphia, 1914, p. 22; Rowland, *op. cit.*, Vol. I, p. 73.

⁴⁹ Scharf, *Hist. of Md.*, Vol. I, p. 552; *The Maryland Gazette*, April 10, 1765, May 29, 1766, June 12, 1766; *Sharpe Cor.*, Vol. III, p. 313.

⁵⁰ *Sharpe Cor.*, Vol. III, p. 315.

to Annapolis and was once more engaged in business. In December, 1766, Sharpe wrote to Lord Shelburne as follows: "I must also in Justice to the Inhabitants of this Province in general assure your Ldp that since the Repeal of the Stamp Act was notified to them they have not shewn the least Signs of Discontent nor have Murmurings been heard among them, but as far as I can judge their Behavior has manifested the Highest Satisfaction at the late Measures of the British Legislature & while their Declarations have been expressive of unfeigned Loyalty & Gratitude to our most Gracious Sovereign & of the greatest Attachment to the Mother Country."⁵¹

Animated by a spirit of gratitude, the Maryland lower house voted in November, 1766, to purchase an elegant marble statue of Pitt to be set up in Annapolis and to have the picture of Lord Camden painted and hung in the provincial court room.⁵² The project was blocked, however, by the refusal of the upper house to pass the bill, for the lower house expressly excluded them from any share in appropriating the money. Nevertheless, as Charles Carroll of Carrollton said of Pitt, "His memory will ever be revered by ye North Americans, at least, who owe to his eloquence and protection ye enjoyment of whatever is most sacred and dear to them."⁵³ The lower house also took into consideration the patriotic conduct of other Englishmen, who had denied Parliament's right to tax the colonies, and expressed their appreciation to Charles Garth, Earl of Chesterfield, Lord Shelburne, Secretary Conway, General Howard, Colonel Barre, Sir George Saville, and Alderman Beckford. Both houses sent separate messages to the king expressing grateful thanks for his assent to the repeal of the Stamp Act. Finally, the Maryland assembly appropriated £100 to Hood, a full equivalent for the damage done to the house which Hood had fixed up for a store only to be pulled down by the mob.⁵⁴

⁵¹ *Ibid.*, p. 359.

⁵² *Votes and Pro. L. H.*, November, 1766, p. 136; *Sharpe Cor.*, Vol. III, p. 355; *The Maryland Gazette*, May 21, 1767.

⁵³ Field, *op. cit.*, p. 132.

⁵⁴ *Sharpe Cor.*, Vol. III, p. 358.

Although Hood had returned to Annapolis and had resumed his mercantile business, he found the inhabitants so resentful toward him that the place was most unpleasant. He soon left Maryland for the West Indies and, except for a memorial to Parliament for relief, no more is heard of the unfortunate stamp distributor.⁵⁵

The repeal of the Stamp Act seemed to restore harmonious relations between England and her American colonies, but it did not settle the issue of taxation without representation. On the question of the stamp tax, however, the colonies had won a real victory. The imperial government had been successfully defied, the Stamp Act nullified, and the whole controversy brought the authority of Parliament into dispute. In general, the colonists claimed that it was a fundamental principle of the British constitution that a subject could not be taxed except by his own consent or through his representatives. As the colonies were not and could not be represented in Parliament, no taxes could be levied upon them except by their own colonial legislatures. According to the British point of view, the colonies were virtually represented in Parliament, and it "had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the Crown of Great Britain, in all cases whatsoever." The inability to reconcile these two divergent views continued to embarrass peaceful relations and ultimately led to the American Revolution.

⁵⁵ Memorial to the Right Honorable Lords of the Treasury from Hood, 1771. *Stamp Act Papers*, No. 11, pp. 42-44. Maryland Historical Society Library.

CLAIBORNE vs. CLOBERY ET ALS.
IN THE HIGH COURT OF ADMIRALTY.

(Continued from Vol. XXVII, p. 28.)

IV

High Court of Admiralty, Miscellaneous Books 853. 15th March 1638.

15 March 1638/9. Personal answer of Cleborne to Cloberry's libel.

Miscell. Books 853. 15th March 1638.

Responsa personalia Willielmi Cleborne facta positionibus et articulis ejusdam libelli alias contra eum ex parte Willielmi Cloberrye Davidis Murhead et Georgius Evelyn dati sequantur.

Ad primum articulum libelli in hac parte dati et admissi respondet et credit That in anno domini 1630 this respondent haveinge some conference with the articulate William Cloberry concerninge Virginia and of some voyages wherein the said Cloberry had formerly adventured thither and to some of the places articulate, the said Cloberrye tould this respondent that hee knewe of the trade of beaver and fures which were to bee had in those partes and more particulerly that hee had received good intelligence from some Frenchmen which had lived in Captayne Kirkes plantacion and had traded uppon the back side of Virginia, and desired this respondent to declare his knowledge of those partes, haveinge lived there, which this respondent did accordinglye. Et aliter non credit hujus modi articulum esse verum in aliquo Ad secundum respondet et credit That in severall meetings and discourses had betweene the said Cloberrye and the articulate Maurice Thompson and this respondent, they did agree uppon a voyadge to bee made to the partes aforesaide to trade with the Indians for beaver and fures and for sendinge corne to Newe England and Nova Scotia; and for the better prosecution thereof, if needs were, to settle a plantacion uppon an Island in Virginia and there to

raise a stocke of hogges, which voyage was to bee in accompte of sixths as is articulate; in which voyage this respondent went chiefe commander, and had authoritye for the mananging and prosecution thereof. And this respondent (as hee believeth) did promise to give unto his saide parteners a juste and true accompte, soe farr as concerned the trade with the Indians, the transportation of corne and of all the profitts and benefitts anye wayes made by the said joynte stocke and not otherwise. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 3^m articulum respondet et credit That hee this respondent for his better proceedinge and authoritye in the saide trade with the Indians did desire a commission should bee procured from his Majestie under the broade Seale of England, which the said Cloberye undertooke to procure, but could not performe. Et aliter onn credit hujus modi articulum esse verum in aliquo.

Ad quartum respondet et credit That the said William Cloberye did procure a commission to the effecte of the 1st schedule articulate under His Majesties signett of Scotland. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 5^m respondet quod acceptat contenta in hoc articulo quatenus faciant pro parte sua et ulterius respondet et credit That uppon the agreement mencioned in the second article of this lible the articulate shippe the Affrica was hired victualled & manned on the behalfe of the parteners in the joynte stocke aforesaide, and by them sett forth to sea uppon the voyage aforesaide, and beleeveth that the whole charge of the said voyadge together with the cargazoone of goodes and all other disbursements did amounte unto the summe articulate and noe more; but believeth that the cargazoone of goodes sent out in the said shippe the said voyadge, did not amount unto above five or sixe hundred poundes or thereabouts, and that the other 700^{li} or thereabouts was for victualling and other charges expressed in the accomptes articulate; and believeth that the goodes sent out in the said shippe were committed to the charge and disposition of this respondent, and that the said goodes were by this respondent landed out of the said shippe at the said Island, and there remained in the power and possession of this respondent.

Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 6^m respondet et credit that this respondent and parteners aforesaid did putt aboard the said shippe seaventeene servauntes and noe more; one whereof dyed at sea outwardes bound, and the other 16 and noe more were landed at the plantacion aforesaide and were there imployed wholye for the benefitt of the said voyage and plantacion in improveinge of the saide joynte stocke; and beleeveth that the said servauntes were imployed in buildinge of houses boates and in plantinge of corne tobaccoe and other usefull and necessarye workes upon the said plantacion, whereby the same was improved; but howe to estimate the same hee knoweth not. Et aliter non credit articulum hujus modi esse verum in aliquo.

Ad 7^m respondet et credit That hee this respondent did trucke and barter awaye parte of the goodes articulate for beaver and other furies, which, togeather with the remainder of the goodes brought to the said plantacion in the saide shippe, the Affrica, were all burnt and consumed by a suddyne fire which happened on or about the 18th daye of October 1631 excepte some iron ware beades and other goodes, parte of the said cargazoone, which coste in England the summe of 150^{li} and noe more, as hee beleeveth; which iron ware and other goodes were imployed for the use of the said servauntes and the benefit of the joynte stocke. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 8^m respondet et credit That this respondent did receive for the freighte and transportacion of goodes and passingers sent out in the said Shippe the Affrica the voyage articulate soe much as is expressed in the accomptes made upp and perfected before the goeinge forthe of the saide shippe mencioned in the 5th article of this libele and noe more, saveinge hee saith that hee received in Virginia from the freighte of goodes and passingers broughte thither in the same shippe the somme of 30^{li} and noe more as hee beleeveth. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 9^m respondet et credit That the saide Cloberrye and companye did paye parte of the freighte of the said Shippe and

mens wages, & that parte thereof was paid before her goeing forth on the saide voyage, and was parte of the summe of 1318^{li} 19^s 8^d mencioned in the 5th article of this libe; but howe much they paid hee knoweth not, neither doth hee knowe what to beleve in that behalfe because hee hath not seene anye accompte thereof, nether doth hee knowe howe manye monethes the said shippe was in paye; and hee believeth that the saide Cloberry and companye have received for the homewardest freights of goodes and passengers brought in the saide shippe for other men the summe of 500^{li} or thereaboutes. Et aliter non credit hujus modi articulum esse verum in aliquo, saveinge he believeth that hee this respondent did charge a bill of exchange for 16^{li} and noe more payeable as is articulate; and that the saide Cloberrye and companye have satisfied the same; and saveinge hee beleeveth that hee this respondent is to receive of the said Cloberrye & companye a sixte parte of the freights of goodes and passengers and other profits made by the saide shippes employment in the said voyage, and is to paye and allowe unto the said Cloberrye and companye a sixthe parte of all disbursements if any thing bee due.

Ad 10^m—articulum et 2^m schedulum in eodem mencionatam respondet et credit That in the yeares and monethes articulate because the saide Cloberrye and companye did not send goodes to supplye the saide trade and plantacion [he] did take upp and charge by bills of exchange all the severall sommes expressed in the saide schedule upon the said Cloberrye and companye; and hee beleeveth that they have paide & satisfied all the same summes excepte the summe of 50^{li} in the saide schedule last mencioned, which as Christopher Wormeley (to whome the said 50^{li} was to bee paide) pretended that the same is not satisfied. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 11^m respondet et credit That all the goodes articulate were sent unto the respondent as is articulate upon accompte of sixthes, and that hee received the same, and that the saide goodes by the accomptes of the saide Cloberrye and company

did amounte unto the severall sommes articulate. Et aliter non credit hujus modi articulum articulum esse verum in aliquo.

Ad 12^m respondet et credit That after the receipte of the foresaide goodes wares and merchandizes mencioned in the nexte precedinge article this respondent did sell barter & trucke awaye moste parte of the saide goodes for beaver skinnes corne and for other necessarye uses for the benefit of the said plantation; and beleeveth that parte of the saide goodes were remayneing uppon the saide plantacion undisposed of when this respondent came from thence; but hee is not able to calculate or estimate what beaver or other commodities were bought in trucke for those goodes particularlye, for that manye tymes when hee traded with the Indians hee putt some of the goodes last mencioned and some which were parte of another cargazone and bartered and trucked awaye the same togeather for one and the same beaver skynne or skins with other commodities, but saieth that relacion being had to this respondentes accomptes expressed in a large volume remayuinge in his this respondentes custodye, which hee is readye to produce at all tymes, it will there appeare what goodes were sent him by the said Cloberrye and companye in the yeares libellate, and howe hee disposed of them and for what commodities.

Ad 14^m et 15^m articulos respondet et credit That within the yeares and monethes articulate this respondent did receive from the said Cloberrye and company a cargazone of goodes by the articulate shippes the James and the Revenge which were all sett down in an Invoyce sent by the said Cloberry; by which Invoyce the summe totall of the charges of the said goodes sent in both the said shippes did amount unto the summe of twelve hundred poundes nineteene shillings and eight pence and noe more; but this respondent doth beleeve that there are many juste excepcions to bee taken against the said accomptes which hee wilbe readye to declare and specifie when the said accomptes are produced by the said Cloberry and companye, and hee beleeveth that hee this respondent did receive into his power and possession twentye three or twentye foure servantes

and noe more, all which excepte 19 dyed within few dayes or weekes after they were landed at the said plantacion and those 19 which survived this respondent imployed in tradeinge with the Indians and otherwise for the benefitt of the saide plantacion Et aliter referendo se ad responsa sua precedentia ad 12^m articulum non credit hujus modi articulos aut eorum aliquem esse veras seu verum in aliquo.

Ad 16^m respondet quod refert se ad dictas litteras per eum dicto Cloberrye et sociis distinctas, quas credit esse veras. Et aliter non credit hujus modi articulum esse verum.

Ad 17^m articulum respondet et credit that the saide Cloberry & companye did send over the articulate Captaine George Evelyn, and made him a letter of attorney to take possession of whatsoever was in the handes of this respondent belonginge to the said joynte stocke or of anye other by his direction privitye or consent, as is articulate; and they likewise sent over the articulate John Heriott, accomptant; but beleeveth that the said Captayne Evelyn was sent over thither without the directions or consent of this respondent which they ought not to have donne. And hee also beleeveth that there were sent over by the said Cloberry and companye in the articulate shippes the John and the Barbara and the Sarah & Elizabeth a supplye of goodes wares and merchandizes and eightene men servantes and noe more, to his remembrance; which goodes & merchandizes with wages & transportacion of servantes and other charges thereunto belonginge did by the Invoyce of the said Cloberry and companye amounte unto the summe of five hundred & Eightye foure poundes twelve shillings & five pence and noe more; but this respondent doth not beleve the said Invoyce to bee true in divers particulers. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 18^m respondet et credit that after the saide Evelyn arrived at the said plantacion hee this respondent uppon the receipte of the letters of the said Cloberry & companye did resolve to come for England and to yield upp the saide plantacion and all thinges belonginge to the said joynte stocke to the said Evelyn by ventarye But understandinge that the said Eve-

lyn did intend to make away the said goodes servantes and plantacion, when hee had them in his possession, and to dispose of them contrarye to the instructions which he had received from the said Cloberry and companye; and because the said Evelyn refused to give bond for the true conservinge and disposing of them, and saide that hee would recover them by lawe, therefore this respondent refused to give his consent that the said Evelyn should have the possession or dispose thereof. And hee alsoe beleeveth that parte of the cargazoone of goodes articulate, amountinge by the Invoyce of the said Cloberry & companyne to sixtye poundes or thereabouts were landed at Kickotan in Virginia, which this respondent never sawe nor ever disposed of. And there were likewise landed at the plantacion aforesaid other parts of the said cargazoone amountinge by the said Invoyce to the summe of two hundred forty eight poundes two shillings five pence and noe more, as hee beleeveth; which goodes beinge much damnified at sea were put into the store houses uppon the said plantacion at the desire of the said Capitaine Evelyn; and the said Evelyn himselve did dispose of parte of the said cargazoone of goodes, and desired this respondent, beinge better experienced in the trade with the Indians, to dispose of soe much as hee could of the remaynder of the saide cargazoone in trade with the Indians for beaver corne and other commodities for the benefitt of the said joynt stocke and plantacion, which this respondant accordinglye did, as maye appeare by the respondentes booke of accomptes written and kept at the said plantacion, which hee is readye to shewe when the same shalbe required; but what quantitey of beaver corne furrs and other commodities were gott in trucke for the particuler goodes hee cannott possible declare, because there were other trade goodes of another cargazoone truckte away with the cargozone of goodes articulate for the same beaver and other goodes, and therefore referreth himselve to his saide accomptes. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 19^m respondet quod non credit hujus modi positionem esse veram in aliquo saveinge hee beleeveth that all the damage which hath happened to the said plantacion and joyntc stocke

hath happned by the said Evelynes ill carryadge and disposall of busines at the said plantacion and of the said Cloberry here in England.

Ad 20^m respondet credit thaht there was noe authoritye given to that respondent by the commission articulate to take possession of any of the Islandes articulate, neither did hee take possession of any of them by vertue thereof; but hee beleeveth that in or aboute the moneth of August 1631 this respondent, as a planter of Virginia did take possession of one of the Islandes articulate called the Island of Kent; and hee likewise beleeveth that this respondent did condicion with and permitt other freemen which inhabited upon the said Island of Kent to plant upon another of the Islandes articulate called Popples Islande in anno domini 1634, which people were putt from thence (as he beleeveth) within twoe or three monethes then next followinge; and hee also beleeveth that in anno domini 1636 this respondent accordinge to the letters of the saide Cloberrye and companye advised the saide Captaine Evelyn that there might bee some menn sent to plant upon the articulate Island called Palmers Island, but the said Evelyn refused to consent that any of the servants belonginge to the said joynte stocke should bee soe employed. Et aliter salvis responsis suis precedentibus non credit hujus modi articulum esse verum in aliquo.

Ad 21^m respondet et credit That the said Cloberry and companye have always had more moneyes of this respondent remayninge in his or their hands by beavers which hee sent them, and by this respondents disbursements for the use of the said plantacion, of which they were to paye five sixth partes then the sixte parte articulate which this respondent was or is to paye doth amounte unto. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 22^m respondet et credit That the said William Cloberry David Murrhead and George Evelyn have de facto boughte the partes of the articulate Maurice Thompson Symon Turgis and John Delabarr, and are de facto proprietors of the five sixth partes articulate; but the same was not lawfullye done (as hee

beleeveth) because done without the consent of this respondent. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 23^m respondet quod refert se ad responsa sua precedentia quel credit esse vera et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 24 et 25^m respondet et credit That severall times since his arrivall in England from the saide plantacion this respondent hath shewed the accomptes to the said Cloberrye & Murhead or one of them of all the goodes wares and merchandizes and servantes sent by them to this respondent dureinge all the tyme of his residence upon the said plantacion, and of the profitts and benefitts made thereof; which accomptes the said Cloberry refused to accepte of; sayeing that they, were not merchantlike. Et aliter referendo se ad responsa sua precedentia non credit hujus modi articulos aut eorum aliquem esse veros seu verum in aliquo.

Ad 26^m respondet et credit That in the yeares and monethes articulate this respondent did buy of the articulate Thomas Yonge at Virginia duffills and other goodes to the value of 115^{li} or thereabouts, as is articulate, and hath sent parte of the proceede thereof in beaver to the said Cloberryes companye and employed the rest for the benefitt of the said plantacion, as appeareth by this respondents said accomptes, to which hee referreth himselfe. Et aliter referendo se ad responsa sua precedentia non credit hujus modi articulum esse verum in aliquo.

Ad 27^m respondet quod credit se non teneri de jure respondere ad hanc articulum cognod non concernit partes in hac causa agentes.

Ad 28^m respondet et credit That it is untrue that this respondent caused the goodes & apparell of the articulate John Herriott to be appraised at a lesser value then they were worth, as is articulate; but beleeveth that after they were apprised they were by the consent of the foresaid Captaine Evelyn delivered to one Anthony Linney att the rate as they were appraised at, and afterwards the said Linney delivered parte of the said goodes to this respondent in parte of satisfaction of a debt which the said Linney owed him, and this respondent disposed of some

of the same to others; for which goodes & apparell, the said Linney undertooke to give satisfaction to the said Cloberry and companie out of his wages. Et aliter non credit hujusmodi articulum esse verum in aliquo savinge he beleeveth that all the said apparell and goodes of the said Herriott were worthe, as they were praised, the summe of 8^{li} 7^s 10^d and noe more, as hee beleieveth.

Ad 29^m et 30^m respondet That as farr forth as these articles doe concerne any servants and goodes belonginge to the joint stocke aforesaid hee referreth himselfe to his former answeres, which he beleeveth to bee true; and as farr as they concerne servants & goodes belonginge to this respondents owne private accompte, hee beleeveth that hee is not to bee accomptable for the same to the said Cloberry and companie, or for the profitts thereof.

Ad 31^m respondet et credit That this respondent did cause to be broughte upon the plantacion aforesaide certayne neate cattle of several kindes, which were his owne particular cattle and noe parte of the said joynte stocke; which have increased upon the said plantacion; but for the increase or disposall of them he beleeveth hee is noe wayes bound to give the said Cloberry and companie any accompte; but for all such hogges as were brought upon the said plantacion, and for the increase and proceede of them this respondent, accordinge to the agreement made between him and his parteners, hath disposed of for the sustenance and benefit of the said plantacion. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 32^m respondet et credit That hee this respondent for the profit and benefitt of the said plantacion and joynt stocke hath employed the servants boates and pinnaces belonginge to the said joynte stocke in transportinge of passingers corne and other commodities to and from the partes and places articulate, but made noe benefitt thereby to his owne private accompte. Et aliter non credit hujus modi articulum esse verum in aliquo savinge that hee beleeveth that sometimes some of this respondents perticuler goodes and servantes were transported in the

articulate pinnaces and boates, which were for the moste parte for the use of the said joynte stocke.

Ad 33^m et 34^m respondet et credit That hee hath not sent any beavers furies otter skinnes tobaccoes or any other goodes or bills of exchange which belonged to the joynte stocke articulate unto any of the parties articulate or any other; but beleeveth that hee hath sent the like kindes of goodes unto some of the said parties, which were his owne goodes, and for which as hee beleeveth hee is not to bee accomptable to the said Cloberry and companye; but beleieveth that parte of the goodes sent to the parties articulate were boughte with parte of the goodes belonginge to the said joynt stocke; but hee hath allowed the vallue thereof upon the accomptes aforesaid, which hee is readye to produce at all tymes, wherein it will plainely appeare what goodes belonginge to the said joynte stocke were sent to the parties aforesaide, and to which of them, and how hee hath allowed or made good the vallue thereof unto the said joynte stocke. Et aliter non credit hujusmodi articulos aut eorum alterum esse veros seu verum in aliquo.

Ad 35^m respondet et credit That this respondent did lade aboarde the shippe called the Thomas of sandwich, William Gany master, belonginge to the said joynt stocke fowre hundred and sixteene beavars which conteyned 56^{lb} and noe more worth the summe of two hundred and fortye one poundes and foure shillings and noe more, as he beleeveth, all charges being deducted, and noe more or other goodes belonginge to the said joynte stocke excepte fewe otter skins and rakoone skynnes, which hee this respondent made nothinge of and which were not worth above the summe of XX^{li} at the most, which goodes he disposed of in Ireland, and hath given or is readye to give an accompte of all the said beaver unto the said Cloberry & companye, but believeth that hee did lade aboard the said shippe about thirteene thousand weight of tobaccoe for his owne private accompte which he likewise disposed of in Ireland, of which as hee beleeveth hee is not to give accompte unto the said Cloberry and companye. Et aliter non credit hujusmodi articu-

lum esse verum in aliquo saveinge that hee saieth there was 139^{li} ½ of beaver which was bought by the joynt stocke but all or most parte thereof due to Phillipp Taylor for wages boate hire etc. as by this respondents said accompte maye appeare.

Ad 36^m respondet quod refert se ad responsa sua precedentia que credit esse vera et aliter non credit hujusmodi articulum esse verum in aliquo saveinge that hee beleiveth that since his arrivell in England Cloberry and companye have demanded their share of the proceede of the beaver and other skinnes sould and disposed of by him in Ireland as aforesaid and threatened to sue him for the same, whereuppon this respondent told him the said Cloberrye that there was much more due to him from the said Cloberrye and companye for disbursements made by him for the said plantation, as hee could make justly to appeare by his accomptes, and that hee had spent and layd out the proceeds of the said beaver in other skinns uppon other occasions, but neverthelesse to avoide suite of lawe and uppon condition that the said Cloberrye and companye would referre the differences between them to bee arbitrated and determined by indifferent men to be mutually chosen by them hee this respondent was contented and promised either to deposite soe much money as the shares of the saide Cloberry and companye came to for the beavers and other goodes sould by him in Ireland as aforesaid, or in default thereof to make over unto the said Cloberry & companye any bondes specialtie or cattle which hee this respondent had belonging to him either heere in England or in Virginia.

Ad 37^m respondet et credit That uppon the desire of the said Cloberrye to see the accomptes concerninge the plantacion and joynt stocke this respondent severall tymes carryed the said booke of accomptes unto the said Cloberryes house in Coleman Streete and Buttolph Lane London and lefte them there with him, and afterwardes haveinge occasion to make use of his said books came to the said Cloberryes house and seeinge them lyinge in his chamber tooke them awaye with him and still keepeth and lawfully possesseth the same, as hee beleiveth. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 38^m respondet et credit That the servantes and artificers which were sent over to this respondent by the said Cloberrie and companye were sent to bee employed uppon the said plantation, and for the benefitt thereof, and to trade with the Indians, and not lett out to hire, and were employed by this respondent accordinglye, saveing he saieth that some of the said servantes and artificers were some tymes lett out to hire to others, and for the benefit and profitts received by him for there employments hee hath made allowance and specified the same uppon his accomptes aforesaid. Et aliter quam in dictis computis continentur non credit hunc articulum esse verum in aliquo.

Ad 39^m respondet quod non credit hunc articulum esse verum in aliquo.

Ad 40^m respondet That hee this respondent did not take possession or plant uppon the Islands articulate by vertue of the commission articulate, but beleieveth that the losse and damage which hath happened to the said joynt stocke and plantacion by reason of the articulate Lord Baltamores clayme thereunto hath bene occasioned and come by the said Cloberrie and Murrheads withstandinge and opposinge the said Lord Baltimore and causing this respondent soe to doe; and further answereth that uppon petition made to his Majestie on the behalfe of this respondent and companye in February last was twelve monethes his Majestie was graciously pleased to referr the same to the Lords commissioners for forrayne plantacions; who by there Lordshipps order of the 4th daye of Aprill last past adjudged the said commission of noe such vertue or power as is articulate, and declared that the letter articulate (which this respondent acknowledges to have received when hee was uppon the said plantacion) to be gotten by misinformation, and that the said Island of Kent was absolutely belonginge to the said Lord Baltimore, and that noe plantacion or trade ought to bee had or made thither without his licence, and in regard of the premisses hee this respondent hath refused to joyn with the said Cloberrie and companye in complayninge against or opposing the said Lord Baltamore's graunte or patent articulate. Et aliter non credit hunc articulum esse verum in aliquo.

Ad 41^m respondet et credit that the said Cloberrye and company stand bound and engaged in the summe of 200^{li} or more as is articulate, and that hee this respondent hath paide and satisfied unto the artificers articulate the summe of two hundred twentye six pounds by meanes whereof the said Cloberry and companye are disingaged and freed from soe much. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 42^m respondet quod credit requisitionem articulatam quodque ex justis causis ut credit recusavit et in presenti recusat satisfacere in eodem contenta. Et aliter non credit hujus modi articulum esse verum in aliquo.

Ad 43^m refert se ad acta et recorda hujus curie que credit esse vera. Et aliter non credit hunc articulum esse verum in aliquo.

Ad 44^m respondet quod sunt et est de facto esse parte dicti Cloberrye et sociorum ad hanc curiam querelata, minus tamen legitime, ut credit.

Ad 45^m respondet quod credit se fuisse et esse subditum hujus regni Anglie et subjectum jurisdictionem hujus curie, sed non racione hujus litis, ut credit.

Ad ultimum respondet quod credit credita et negat negata.

W. CLAIBORNE.

V

High Court of Admiralty, Miscellaneous Books 854. 21st June 1639.

21 June 1639. Extracts from the personal answer of Evelyn to Cleborne's libel.

To the 3rd & 4th positions he believes that Clobberie did promise a commission under his Majesties signett of Scotland.

To the 9th he says that
 "the plantation articulate is distant about sixe score miles and not above ut credit to the other English plantations."

To the 11th he says that
 "the articulate Clobberie hath received from the articulate Cleborne in beavers and other good commodities for goodes pro-

ceeding of the joint stocke of the articulate Cloberrie and companie the vallue of £1500 and not above ut credit.”

To the 14th he says that

“the articulate Cleborne hath lyen upon the ground, and by some misdemeanors by him there committed hath been questioned for his life.”

To the 15th he says that

“the said Cleborne havcinge committed some misdemeanors in the foresaid plantation, complainte thereof beinge here made in England the said Cleborne haveinge notice thereof did signifie to the said Cloberrie that he had a desire to come for England to cleere himself of such accusations as were laide against him. Whereuppon this respondent beleeveth the articulate William Cloberrie & David Morehead did give unto this respondent a letter of attorney to the effecte aforesaid with a letter directed to the said Cleborne, and sent this respondent over unto the said Cleborne to take the possession of the said plantatione goodes wares houses & servauntes there remayinge and sent over likewise with this respondent supplies in two severall shippes consigned to this respondent; And he further beleeveth that so soon as he arrived at the plantation articulate, he this respondent delivered the articulate Cloberries letter to the said Cleborne, who seemed well contented therewith, & promised to surrender upp all into the handes and possession of this respondent, and did afterwards surrender upp parte thereof to this respondent; but after the said surrender he or his assigns did doe their endeavour to gett the possession of the same againe, and hee the said Cleborne did likewise take into his custodie and possession all or the greatest parte of the goodes wares & merchandizes consigned in the said two other shippes to this respondent, and disposed thereof at his pleasure.”

To the 16th he says that

“the said Cleborne within the time articulate did take upp in Virginia goodes & commodities to the vallue of CXV^l and odd monie, and noe more, ut credit, from the articulate Younge; And this respondent further beleeveth that the said Cleborne

did charge a bill of exchange upon the said Clobberie payeable to the articulate Henlie in payment of the said 115^{li} and odd monie; which said bill of exchange this respondent beleeveth the said Clobberie did not accepte thereof, in regard the said Cleborne was much indebted to him. And this respondent further believeth that he this respondent did give notice to the said Clobberie that he the said Cleborne had bought the fore-said goodes of the articulate Younge.”

To the 17th he says that

“the articulate Cleborne haveinge in his handes divers summes of monie and other goodes wares & merchandizes to a great vallue belonginge to the articulate Clobberie and companie, did bringe into the said plantation of cowes and other neat cattle to the number of tenn & noe more, ut credit; all which cattle, ut credit, were brought in thither upon the jointe stocke, ut credit; and that the milk of everie cowe was the time articulate worth the quantitie of one hundred poundes weight of tobacco per annum, and that every pound weight thereof was worth the time articulate the summe of 6^d per pounde, and noe more.”

To the 21st he says that

“since the time articulate the said Clobberie hath received from the articulate Cleborne the sume of 50^{li} to be laid out in commodities for the plantation aforesaid.”

To the 24th he says that

“this respondent hath bin requested to the effecte articulate. but hath refused the same for just causes, ut credit.”

GEORGE EVELYN.

(To be Continued.)

BALTIMORE DURING THE TIME OF THE OLD PEALE MUSEUM.

By RAPHAEL SEMMES.

John H. B. Latrobe, whose life almost spanned the nineteenth century, writing of Baltimore during the first quarter of that century, said that at that time the Peale Museum was "a popular place of evening resort, where crowds collected around the skeleton of the Mammoth or lounged in the picture gallery until summoned by the gong to see an exhibition with a magic lantern or to listen to lectures on chemistry from Mr. Rembrandt Peale."

Mrs. Frances Trollope, mother of Anthony, noted English novelist, came to Baltimore in 1830. After visiting the Peale Museum she remarked on the "handsome structure superintended by one of the Peale family well known for their devotion to natural sciences, and to works of art." Six years before this, General Lafayette with his secretary, Levasseur, had returned to America for his triumphal tour of the States. While in Baltimore they, too, visited "le musee d'histoire naturelle et la galerie de peinture de Monsieur Peale," which Levasseur described as containing a "belle collection." What especially impressed Levasseur during his stay in Baltimore was the charming hospitality of the Baltimoreans, which he described as being a mixture of "la franchise americaine et de l'aisance francaise."

It is about the way these Baltimoreans lived during the early nineteenth century, that is, about the time of the old Peale Museum, that this account is written. The size and extent of the town then can best be described by saying that during that early period old Baltimore stopped at Mulberry street. Except for the Washington Monument and the Unitarian Church, there were then no buildings or houses beyond Mulberry Street. The recently erected monument to Washington stood in lonely

grandeur in open country. William Wirt, a distinguished lawyer of the time, wrote that the white marble shaft was "rendered indescribably striking and interesting from the touching solitude of the scene from which it lifts its head." The social center of Baltimore was the Battle Monument, just as now there are many fine houses near the Washington Monument.

It is interesting to note the pleasant impression that Baltimore made upon visitors from other countries, especially upon travelers from England. Frances D'Arusmont, an Englishwoman, who visited Baltimore in 1820, described the town as "spread over three gentle hills, the streets without sharing the fatiguing regularity and unvarying similarity of those of Philadelphia are equally clean, cheerful and pleasantly ornamented with trees." As she approached the town from the west, Mrs. Trollope, to whose visit to Baltimore in 1830 reference has already been made, wrote in her diary that she thought Baltimore "one of the handsomest cities in the Union." She admired particularly the distant views of the Washington Monument and of the Roman Catholic Cathedral. At the time of Mrs. Trollope's visit there were many white marble fountains in the city to which Baltimoreans would resort for drinking water. Mrs. Trollope was impressed with the beauty of these fountains, especially with the one known as the City Spring, the site of which is now occupied by the Mercy Hospital on Calvert Street. She described the City Spring as being "sheltered from the sun by a roof supported by light columns; it looks like a temple dedicated to the genius of the spring. The water flows into a marble cistern to which you descend by a flight of steps of delicate whiteness and return by another. These steps are never without groups of negro girls, some carrying water on their heads . . . many of them singing in the soft rich voice peculiar to their race."

Baltimoreans who date from the gay nineties or before will recall the stepping stones over which one perilously made one's way across Centre Street after a heavy rain. During the first

part of that same century stepping stones played an even more important part in the city. Robert Gilmor, a prominent and gifted merchant of this early period, has left us a diary which very vividly describes many phases of life in old Baltimore. The condition of our streets at that time is graphically set forth in one incident. It seems that a severe summer thunder storm had broken over the town. Mr. Gilmor was on Baltimore Street, hoping to cross Liberty Street, then a raging torrent with even the stepping stones submerged. He was about to give up in despair when a heavy-set colored man made his appearance. For a small fee the darky offered to act as ferryman and so Mr. Gilmor was borne in triumph on the back of the obliging colored man across the floods in Liberty Street.

The houses in Baltimore were not then built on as pretentious a scale as those which we now see on Mount Vernon Place or in Guilford and Homeland. Most of the residences were red brick affairs with quaint windows after the pattern of a multiplication table, such as one will find in the restored windows of the Peale Museum. Baltimore Street then was being gradually given over to trade and the houses there offered a pleasing variety of color, some painted white, some yellow, some blue. On Aliceanna Street in present-day Baltimore one can still find the type of house which was at one time characteristic of Baltimore Street.

It is easy to explain why houses were on a much simpler scale during the early part of the nineteenth century. To begin with, there was very little wealth in Baltimore during the first part of that century. John H. B. Latrobe, a family name which is interwoven with the history of Baltimore, has left us some interesting information on the amount of wealth in Baltimore during the early nineteenth century. "In 1824," wrote John H. B. Latrobe, "a salary of \$3,000 per annum gave its possessor the reputation of being a rich man. . . . When Mr. Louis McLane," continues Latrobe, "was invited to take the presidency of the Baltimore and Ohio Railroad Company he was offered \$4,000, which was then regarded as a very great

salary sufficiently large to tempt him to leave New York." Another interesting contrast between old Baltimore and the Baltimore of today is offered in the matter of transportation. Today the number of automobiles privately owned in Baltimore amount to many thousands, yet in Baltimore of 1824 it was necessary, according to Mr. Latrobe, "to have the reputation for wealth . . . to justify keeping a carriage . . . indeed in 1824 there were not a dozen private carriages in Baltimore."

What Baltimore lacked in wealth in these early days is more than made up in the art of living. Distinctions were never made because of the scale on which one entertained. Society was simpler, easier and more natural than now. John P. Kennedy, a Baltimore novelist, in a delightful sketch called "Baltimore Long Ago," characterizes the men who were prominent in Baltimore during the early nineteenth century as being "men of the Venetian stamp." By this Kennedy explained that he did not refer to their wealth, of which they had comparatively little, but to the generous way in which they gave so much of their time to public and civic affairs. There was indeed an illustrious list of men who lived in this old Baltimore of whom we may well be proud. At the head of the list stood Charles Carroll of Carrollton. Born in 1737 only shortly after the founding of Baltimore, Carroll lived to die in 1832 at the age of ninety-five years. In the span of his life he had seen Baltimore grow from a hamlet consisting of only a few houses to a town of 80,000 people. During his life Charles Carroll had known personally and intimately Washington, Jay, Adams, Jefferson and Hamilton, men who were makers of America. To nearly the end of his long life Carroll kept his mind and body alert and active. Even when ninety years of age he would ride five miles on horseback every morning. English visitors and Maryland writers alike speak of his charming manners and his delightful fund of anecdotes. John Bernard, an Englishman, wrote of the "refinement of his manners . . . and dignity, which bespoke the perfection of good taste."

Other men of the "Venetian stamp" who lived in Balti-

more were Robert Oliver and William Patterson. Robert Oliver was one of the leading merchants of old Baltimore. According to a contemporary account, he was "a powerfully built man, erect as an Indian, with handsome features . . . and the very image of health and strength at three score and ten. His hair was white and thin, his eyes keen, and with a dash of merriment in them. A splendid horseman and the leader always in the hunt. There was something in the tone of his voice that inspired you with confidence in this giant of a man," concludes the account. William Patterson, another merchant of old Baltimore of this early period, is perhaps best remembered as the father of Betsy Patterson, whose romance with the brother of Napoleon stirred the wrath both of Betsy's father and the great French general.

When it came to the legal profession Baltimore has probably never boasted so much in the way of legal talent as it did during the early part of the nineteenth century. Reverdy Johnson, General Robert Goodloe Harper, William Wirt, Roger Brooke Taney and Luther Martin are names to conjure with—all brilliant and public spirited men. Regarding Reverdy Johnson, few men have been more pre-eminently before the public in the Senate and at the Bar, and yet, writes one who knew him, "with all his distinction, he was natural and unaffected as a child." Roger B. Taney, whose statue is in Mount Vernon Place, is described as a "gaunt, ungainly man . . . and yet when he began to speak," an account continues, "you never thought of his personal appearance, so clear, so simple, so admirably arranged were his low voiced words . . . There was an air of so much sincerity in all he said that it was next to impossible to believe he could be wrong." Then there was also Luther Martin, whose eloquence was so much admired that near the end of his life when his fortune had been dissipated all lawyers in Baltimore were taxed \$5.00 a year for his support.

Another interesting comparison can be made between old Baltimore and the Baltimore of today. The Lyric and Peabody are now, as everyone knows, the centers for music loving Balti-

moreans. In old Baltimore there was an organization known as the Anacreontic Society, whose members in their devotion to music arranged concerts from time to time. Many of the concerts were held in the large hall in old Barnum's Hotel which so long stood on the site now occupied by the Equitable Building. Another favorite place to give concerts or lectures was at the Athenaeum, which stood on the corner of Lexington and St. Paul Streets.

When it came to dances and formal parties these were generally given at the Baltimore Assembly Rooms on the corner of Holliday and Fayette Streets. This was the resort of fashion. A large ballroom and supper room occupied the second floor. On the first floor there was also a supper room where, according to one account, "the men may at their ease indulge in the gothic practice of cramming themselves with comestibles without fair eyes to gaze at them." In these early days parents accompanied their daughters to dances and unlike today the mothers danced while the daughters looked on. The cotillon ruled the day. An occasional whirl in what was called the "Spanish Dance" was regarded in doubtful propriety. The waltz was just beginning to become popular. One of the most brilliant social affairs that took place in these old Baltimore Assembly Rooms was that given to Lafayette upon the occasion of his return to America in 1824. As Lafayette entered the ballroom the orchestra, which was concealed behind palms, struck up the March Lafayette. Baltimore's most beautiful women forming a circle about the General, showered him with bouquets of flowers. Lafayette was so overcome by the display that even as a Frenchman he found difficulty in expressing his appreciation.

While in the vicinity of Holliday Street the old Holliday Street Theatre should not be forgotten. According to John P. Kennedy "the theatre had something of the splendor of a great barn, weatherboarded, milk white, with many windows, and looked with a hospitable, patronizing, tragicomic greeting down upon the street." There was but one company of actors and

that company served both Baltimore and Philadelphia. The season was not long. A few months or even weeks and then they played only three times a week. Box seats were a dollar, chairs in the orchestra, then called the pit, were seventy-five cents. According to most critics the acting was good, though of course, there were then as now those who objected to the moral laxity of the stage. "Imagine it," writes one lady about a play she had just seen, "they had nothing on but flesh colored inexpressibles, and a gauze petticoat reaching to the knee." This sounds like a lot for these days.

The most important hotels at this time were Barnum's, where the Equitable Building now stands, and the old Fountain Inn, the site of which is now occupied by the Southern Hotel. Canvas back ducks, terrapin, and the best and rarest of wines and liquers made these hostelries famous along the Atlantic Seaboard. Barnum's satisfied even as critical a traveller as Charles Dickens. There were, of course, a number of taverns and inns in Baltimore in these early days. In the vicinity of Pennsylvania Avenue, then known as the Hookstown Road, were the Wheatfield Inn, the Golden Horse and the Black Bear Taverns whose picturesque, virile names besoke much more than lemonade.

If there is one subject that all visitors to Baltimore during the time of the old Peale Museum were unanimous about that was the beauty and charm of Baltimore women. Captain Thomas Hamilton, an Englishman, writing of a trip to Baltimore in 1830, said that he had never seen so much beauty as at the parties in Baltimore. Henry Tudor, another Englishman, remarked on the way Baltimore women dressed. Said he, "It is more agreeable to my taste than that of the ladies of New York, being of less flaunting and less ultra-fashionable description." Mrs. Trollope attended Mass at the Roman Catholic Cathedral one morning in the year 1830. Afterwards she wrote that "excepting on a very brilliant Sunday morning at the Tuileries in Paris" she had never seen "such a display of morning costumes . . . and so many beautiful women at one glance."

As to the charm of the social life of old Baltimore, the diary of John Quincy Adams of Massachusetts bears eloquent testimony. Adams wrote, "any social meetings more hearty, easy and friendly and in all respects more agreeable than those which characterize the Baltimore society of 1826 it has never been my fortune to attend. My stay," he continued, "seemed like a long English Christmas, such as one reads about in books." John Bernard, the Englishman who visited Baltimore during the time of the old Peale Museum, wrote that hospitality seemed to be the chief avocation of Baltimoreans. So delighted was he with his reception in Baltimore that he said "here in Baltimore the most inveterate wanderer was tempted to stay his step. The doors seemed a useless device, they were made to stay open." It was truly a delightful place to live in, this old Baltimore, and one of which we may well be proud.

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 Darusmont, Mrs. Frances F., "Society in America."
 Davis, John, "Travels in the United States."
 Ferrall, S. A., "A Ramble of 6000 Miles in the United States and Canada."
 Pickering, Joseph, "Inquiries of an Emigrant."
 Trollope, Mrs. Frances, "Domestic Manners of the Americans."
 Tudor, Henry, "Tour in North America."

SCOTCH DESCRIPTIONS.

- Duncan, John M., "Travels Through part of the United States."
 Hall, Capt. Basil, "Travels in North America."
 Steuart, James, "Three Years in North America."

FRENCH AND ITALIAN DESCRIPTIONS.

- A. Levasseur, "Lafayette en Amerique en 1824."
 Beltrammi, J. C., "A Pilgrimage in Europe and America."

BALTIMORE COUNTY LAND RECORDS OF 1671.

Contributed by LOUIS DOW SCISCO.

Land papers of 1671 reflect regular development of settlement in the pioneer country along the rivers of the Upper Bay. Nearly all the landholders are tobacco planters. As yet there are few hints of artisan trades in connection with realty. An Eastern Shore deed gives the earliest reference in these land papers to a resident clergyman in the county. Trade with the Delaware settlements is indicated by the move of Peter Alrichs to collect from his Maryland debtors.

The summaries immediately following represent the contents of pages 93-113 of court house liber I R No. P P, which is a very modern transcript of the older record in liber H W No. A B, now missing. Personal names in this record liber are sometimes distorted by the former copyist. Eusebius Beade probably should be Beale, and Joseph Heves probably Hewes.

Deed, January 3, 1670-71, Oliver Mathiason conveying to James Frisbie, for 3,530 pounds of tobacco, 100 acres at Sassafras River bought August 4, 1667, from Peter Mounson, and adjoining the tract "Freeman" owned by Hendrick Matson. Witnesses, Henry Ward, T. Salmon.* Notation of acknowledgment on same date.

Deed, August 4, 1668, Augustine Herrman conveying to Robert Morgan, cooper, a tract in Bohemia Manor, within the mouth and on south side of Bohemia Back Creek alias Back River, and extending from Cooper's Cove to Goose Point, it being opposite to St. Thomas Creek and Mr. Brocas's plantation, to be held in tenancy from the manor by rent of six shillings yearly. Witnesses, T. Salmon, Daniel Silvaine.

Deed, January 3, 1670-71, Robert Morgan, cooper, and wife Bennett conveying to Richard Chapman the tract purchased from Augustine Herrman, lying within the mouth and on the south side of Back Creek alias Back River and opposite St. Thomas Creek and Mr. Booker's plantation. Witnesses, William Dunkerton, T. Salmon.

Deed, January 28, 1670-71, John Collett, planter, conveying to Mathew

* When Thomas Salmon is witness his initials are mere convolutions, probably originating in freehand copies of his signature. In an instance on liber page 103 his initials are copied with some apparent fidelity.

Knevington 100 acres on Musketto Creek, being part of the tract "Beaver Neck". Witnesses, John Mascord, Barnard Utie, Henry Haslewood.

Minute of acknowledgment, March 7, 1670-71, by Thomas Salmon as attorney, that Richard and Sophia Wells have executed a deed of gift.

Deed of gift, February 28, 1670-71, Richard Wells and Sophia Wells of Ann Arundell County conveying to their brother George Wells of Baltimore County the tract "Planters Delight" of 300 acres, bought May 20, 1661, from Mr. George Gouldsmith, and adjoining land of Maj. Samuella Goldsmith, the grantors giving possession by affixing a silver sixpence to the seals of the deed. Witnesses, I. Desjardins, Edward Jones.

Letter of attorney, February 28, 1670-71, Richard Wells and wife Sophia appointing Mr. Thomas Salmon and Mr. John Collett their attorneys to acknowledge in court their deed of gift to their brother George Wells. Witnesses, I. Desjardins, Edward Jones.

Letter of attorney, May 12, 1670, Adam Claxton, mariner, of Plymouth, Eng., appointing William Salsbury, planter, his attorney to collect from Mr. Godfrey Baylye on a bill of debt for 2,120 pounds of tobacco. Witnesses, Henry Ward, Thomas Long.

Deed, January 30, 1670-71, Elizabeth Booker, widow, and Richard Booker, gentleman, in exchange for 200 acres in New Kent County, Va., conveying to Rowland Williams, planter, 500 acres at St. Thomas Branch on the north side of Bohemia Back Creek, on the east side of Elk River, as surveyed in 1664 by Mr. George Gouldsmith, the grantors appointing Augustine Herrman, gentleman, their attorney to acknowledge sale in court. Witnesses, John Perkins, Sam. Holowaye.

Letter of attorney, January 4, 1670-71, Peter Alrick, merchant, of New Castle, on Delaware River, appointing Capt. Thomas Howell his attorney to collect all sums due to him in Maryland. Witnesses, John Carr, T. Salmon.

Letter of attorney, February 22, 1670-71, Mary Winley, wife of Richard Winley, appointing John Waterton her attorney to acknowledge sale by her husband with her consent, of the 100-acre tract "Fall Hills" to Robert Gates. Witnesses, John Owen, Robert Gates.

Deed, February 20, 1670-71, Richard Winley, planter, and wife Mary, spinster, of Gunpowder River, for 1,100 pounds of tobacco, conveying to Robert Gates, planter, the tract "Fall Hill" of 100 acres, near the great falls of Gunpowder River. Witnesses, John Waterton, John Scott.

Letter of attorney, December 17, 1670, Samuella Tracey, gentleman, and Hugh Williams, tailor, of Peanketank, Gloucester County, Va., appointing John Waterton of Gunpowder River their attorney to take acknowledgment of sale of land to them by Richard Winley and wife Mary. Witnesses, John Scott, Walter Cary.

Letter of attorney, November 17, 1670, Mary Winley, wife of Richard, appointing John Waterton her attorney to acknowledge her consent to the sale of the tract "Taylors Mount" to Mr. Samuella Tracey and Hugh Williams. Witnesses, John Collier, John Taylor.

Deed, December 16, 1670, Richard Winley, planter, and wife Mary,

spinster, for 6,000 pounds of tobacco, conveying to Samuell Tracey, gentleman, and Hugh Williams, tailor of Peancketank, Va., the tract "Taylors Mount" of 250 acres, at the head of Gunpowder River, between the great falls and Back River, excepting a point of land sold to John Owen and abutting on land taken up by John Dixon, deceased. Witnesses, John Taylor, John Waterton.

Letter of attorney, May 3, 1670, Sarah Tillard appointing James Ives her attorney to acknowledge sale to John Mascord of the tract "Beaver Neck" of 100 acres at Muskeeto Creek. Witnesses, Miles Gibson, Eusebius Beade.

Deed, November 11, 1670, John Tilliard, planter, conveying to John Mascord, planter, 100 acres, it being the northern half of the 200-acre tract "Beaver Neck" at the head of Muskeeto Creek. Witnesses, John Masters, John Lee.

Deed, March 3, 1670-71, John Lee, planter, conveying to Richard Collins one-half of the tract "Chilberry Hall" of 250 acres, near the head of the west branch on the north side of Bush River, Collins to choose the part he likes best. Witnesses, Miles Gibson, Barnard Utie.

Deed, January 13, 1670-71, John Owen, planter, of Gunpowder River, for 1,700 pounds of tobacco, conveying to William Chapman, planter, of same place, land on the west side and at the head of Gunpowder River, being the eastern part of the tract "Taylors Mount", formerly bought of Richard Winley, and adjoining land of Samuell Tracey and Hugh Williams. Witnesses, John Scott, John Waterton.

Deed, March 7, 1670-71, Nathaniell Stiles, gentleman, conveying to Richard Whitton two adjoining tracts, one being the tract "Withers" of 200 acres near the head of a bay near the mouth of North East River, and adjoining land of John Wheeler, the other being the tract "Bayley" of 300 acres. Witnesses, John Vanheek, George Wells.

Deed, March 7, 1670-71, Henry Eldesley, planter, and wife Parnell conveying to James Wrath 100 acres at Sassafras River, adjoining land taken up by William Fisher. Witnesses, T. Salmon, William Dunkerton.

Deed, June 7, 1671, William Palmer, gentleman, conveying to Richard Boyer and Francis Robinson, planters, part of the tract "Plumb Park" on south side of Sassafras River. Witnesses, John Collier, Henry Ward. Notation "June Court Anno 1671".

Deed, June 7, 1671, William Palmer, gentleman, conveying to John Ryley and John Webster, planters, land on west side of Swan Creek on south side of Sassafras River, with 60 perches river frontage. Witnesses, John Collier, Henry Ward.

Deed, June 2, 1671, John Collett conveying to William Yorke a tract called "Cabbins Neck" of 100 acres, on the west side of Bush River and north of William Orchard's tract "Wansworth". No witnesses on record.

Deed, June 2, 1671, William Yorke, planter, conveying to Mr. John Collett, gentleman, the tract "Small Hopes" of 50 acres near the mouth of Deep Creek, on eastern side of Gunpowder River. Witnesses, T. Salmon, Henry Haslewood.

Deed, April 7, 1671, Joseph Heves, planter, of Bush River, for 2,400 pounds of tobacco, conveying to Thomas Heath, planter, the tract "Red Budd Point" of 100 acres, on the southwest side of Bush River. Witnesses, Peter Evans, William Robison. Notation "August Court 1671."

Deed, February 1, 1669-70, Charles Gorsuch, planter, for 3,500 pounds of tobacco, conveying to Thomas Roper, planter, of South River in Ann Arundell County, two adjoining tracts on the north side of the middle branch of Patapsco River, one being the tract "Could Comfort" of 50 acres, patented February 24, 1661-62, to Lovelass Gorsuch, planter, and since conveyed to Charles Gorsuch, the other being the tract "Rich Levell" of 100 acres, patented June 20, 1668, to Charles Gorsuch. Deed signed by Charles and Lovelass Gorsuch. Witnesses, John Mark, Roger Bedwell. Appendant certificate of delivery of seisin October 13, 1670, by Charles Gorsuch in presence of John Gray, Thomas Rilly.

Deed, August 1, 1671, Jane Dixon conveying to Joseph Hawkins, planter, 450 acres called Dixon's Neck, at Middle Creek in Back River, on the north side and within the mouth of Gunpowder River, which were patented to her. Witnesses, Abraham Wilde, Gideon Gundry.

Deed, December 28, 1669, John Walkin of Kent County, for 1,600 pounds of tobacco, conveying to Thomas Todd, merchant, of Baltimore County, 80 acres called Walkin's Neck, at Back River, which were patented to Walkin. Witnesses, Robert Skinner, David Jones.

Deed, August 1, 1671, John Hall, planter, conveying to Richard Morgan, planter, the tract "Crab Hill" of 50 acres, on the north side of Bush River, being one-half of a purchase by Hall and Morgan from Godfrey Harman. Witnesses, Henry Howard, John Waterton.

Deed, June (*sic*) 15, 1670-71, Abraham Coffen, planter, and wife Joyce conveying to John Gilbert the tract "Marksfeild" of 100 acres, at Veale Quarter Creek in Sassafras River, adjoining land laid out for Clement Michaelsson, and also 50 acres adjoining being part of the 200-acre tract "Peterfeild". Witnesses, Will Tone, Dan Block.

Deed, November 7, 1671, John Cock, Ann Cock, and Andrew Peterson conveying to William Ward the tract "The Leney" of 300 acres, near the head of Back Creek on north side of Sassafras River. Witnesses, John Richardson, Henry White.

Deed, March 28, 1671, Rowland Williams, planter, conveying to James Ives the the tract "Tronolwyn" of 100 acres on south side of Harman's Branch in Bohemia River, and adjoining land of Thomas Bostock. Witnesses, Richard Collins, John Tarkinton, John Tillard.

Letter of attorney, March 2, 1670-71, Rowland Williams appointing John Tillard his attorney to acknowledge sale of 100 acres called "Trevolwyn" to James Ives. Witnesses, Edward Reeves, Alexander Cony.

Deed, November 8, 1671, John James, gentleman, conveying to Charles Nicholetts, "minister of God's word", the tract "Lynn" of 150 acres at Jacobus Creek on the north side of Steelpone Creek, patented February 10, 1663-64 to James, and adjoining to land formerly taken up by George

Gouldsmith. Witnesses, John Vanheek, James Frisbie, Gideon Gundry, Ebenezer Blackston, Ben. Gundry.

Deed, April 26, 1671, Evan Gwin of Maryland and John Gwin of Virginia, planters, for 2,000 pounds of tobacco, conveying to Charles Gorsuch 100 acres called Spring Point on the north side of the southward branch of Patapsco River, as formerly granted to Paul Kinsey, giving warranty for themselves and for Thomas Williams of Virginia. Witnesses, John Bening, Hugh Montgomery. Appendant certificate by Evan Gwin that seisin was given September 9, 1671. Witnesses, John Parsons, John Gray.

Letter of attorney, April 27, 1671, John Gwin of Virginia appointing his brother Evan Gwine of Ann Arundell County his attorney to acknowledge sale of 100 acres to Charles Gorsuch. Witnesses, John Parsons, Robert Burgen.

Assignment, April 27, 1671, Evan Gwin of Maryland and John Gwin of Virginia assigning to Charles Gorsuch their interest in land patented to Paul Kensey and assigned by him to William Gwin, deceased. Witnesses, John Parsons, Robert Burgen.

On pages 38-41 of the present record liber I S No. I K are the following items, placed on record apparently in 1671 in a former liber I C No. A, which afterward was transcribed to the book now existing.

Letter of attorney, November 8, 1670, Lovellass Gorsuch of Talbot County appointing his brother Charles Gorsuch of Baltimore County his attorney to sell land at Patapsco River. Witnesses, John Blower, Roger Seedwell.

Assignment, February 1, 1669-70, Charles Gorsuch conveying to Thomas Roper land as conveyed in a certain deed. Witnesses, Henry Howard, Anthony Hendrick.

Will, September 30, 1671, John Wheeler, planter, bequeathing to his sons Samuel and John Wheeler his 250 acres called Wheeler's Point and all his goods and livestock, with remainder to the survivor, the legatees to be joint executors. Witnesses, John Cock, Ann Cock, Samuel Bowen.

Will, August 26, 1671, William Bouldin of Bohemia River bequeathing all his Maryland and Virginia property to Mary Thwaite and to her sons William and Thomas Thwaite who were born in Bouldin's house in Abington parish, Gloucester County, Va., she to be their guardian and to control their tuition and the bequeathed estate. Witnesses, John Gardiner, George Brocas, Roger Frettwell, William Brocas.

COLONEL ISAAC SHELBY AND OTHER MARYLAND
HEROES OF THE BATTLE OF KING'S MOUNTAIN,
OCTOBER 7TH, 1780.

By HENRY J. BERKLEY, M. D.

In recent years very little attention has been paid to the deeds of the Maryland warriors who served in the Southland during the Revolutionary War. The Battle of King's Mountain, the turning point of the conflict with Britain, contributed largely to the final victory at Yorktown. Scharf is the latest historian who gives justice to these Maryland men, and his accounts are necessarily scanty in detail. It was therefore a surprise to the writer of this sketch to learn at the Sesqui-centennial of the battle that it was almost entirely owing to the strenuous efforts of a Maryland soldier, who not only collected, organized, and directed the body of mountain men participating, but commanded them in the battle to its victorious end. The opening letter was written the evening after the fighting was over, and is now reproduced from Sims' History of South Carolina, dated 1840, who copied it from the Telescope, newspaper of Columbia. Col. William Campbell, whose name foote the report, was made commander the day before the battle, by right of seniority.

King's Mountain Top,
Evening of October 7th, 1780.
By the Camp Fire.

Honoured Sir:¹

On receiving intelligence that Major Ferguson had advanced as high as Gilbert Town in Rutherford County, and threatened to cross the mountains to the Western Waters,—

Colonel Campbell with 400 men from Washington County, Va.; Col. Isaac Shelby with 240 men from Sullivan County,

¹ General Gates.

N. Ca.; Lieut.-Col. John Servier, with 240 men from Washington County, North Carolina, assembled at Wattauga on the 25th day of September (1780), where they were joined by Col. Charles McDonald with 160 men from the Counties of Burk and Rutherford, who had fled before the enemy to the Western Waters.

We began our march on the 26th and on the 30th were joined by Colonel Cleveland, on the Cataba River with 350 men from the Counties of Wilks and Surry.

No one officer having a right to the Command in Chief, on October 1st we despatched a messenger to General Gates informing him of our situation and requesting him to send a General Officer to command the whole.

We marched to the Cowpens on Broad River, S. Ca., where we were joined by Colonel James Williams with 400 men on October 6th, who informed us that the enemy lay encamped somewhere near Cherokee Ford on Broad River thirty miles from us. By a council of the principal officers it was then thought advisable to pursue the enemy that night with 900 of the best horsemen, and leave the weak horse and foot to follow as fast as possible.

We began our march with 900 of the best men about eight o'clock P. M. on the 6th (toward the enemy) who lay encamped on the top of King's Mountain, North of the Cherokee Ford, in the confidence that they could not be forced from so advantageous a post.

Previous to the attack (while) on our march the following dispositions were made;—Col. Shelby's ridgment formed a column in the centre of the left; Col. Campbell's ridgment another on the right; part of Col. Cleveland's ridgment, headed in front by Major Winston, and Col. Servier's ridgment, formed a large column on the right Wing; the other part of Col. Cleveland's ridgment headed by Col. Cleveland himself, and Col. Williams ridgment composed the left wing;—in this order we advanced and got within a quarter mile before we were discovered.

Col. Shelby's and Col. Campbell's regiments began the attack and kept up a fire on the enemy while the right and left wings were advancing forward to surround them, which was done in about five minutes, and the fire became general all around;—the engagement lasted an hour and five minutes, the greatest part of which time a heavy and incessant fire was kept up on both sides. Our men in some parts, where the regulars fought, were obliged to give way for some distance, two or three times, but rallied and returned with additional ardour to the attack.

The troops on the right having gained the summit of the eminence, obliged the enemy to retreat along the top of the ridge to where Col. Cleveland commanded and were there stopped by his brave men:—A flag was immediately raised by Captain Depoisture, then commanding officer (Major Ferguson having been killed a little before), for a surrender; our fire immediately ceased and the enemy laid down their arms, the greater part of them charged, and surrendered themselves at discretion.

The British forces comprised 1125 men. Of these there were killed, one Major, one Captain, two Sergeants, fifteen privates, thirty-five privates wounded. There were taken prisoner, two Captains, four Lieutenants, three Ensigns, one Surgeon and forty-nine privates. Of the Tories there were two Colonels, three Captains, two-hundred and one privates killed and one-hundred and twenty-seven privates wounded. One Colonel, twelve Captains, Eleven Lieutenants, two Ensigns, one quartermaster, one Adjutant, two Commissaries, eighteen Sergeants and six hundred privates taken prisoner. Enemy loss, 1105 men at King's Mountain.

Given under our hands at Camp,

WILLIAM CAMPBELL,
ISAAC SHELBY,
BENJ. CLEVELAND.

Shelby was a product of American soil and in the third generation from the immigrant. Reared in the fastnesses of the

wilderness of Maryland, Virginia and North Carolina, he became a prominent figure in many Indian campaigns.

His grandfather, Evan, with his wife Catherine, left Wales about 1735, and settled first, with their children, in the Cumberland Valley of Pennsylvania. This was in July, 1735.

For reasons unknown, in 1739, the family moved from this location across the Maryland line into the then Prince George County, now Washington County, and patented an 1000-acre tract, called "Maiden's Choice," upon North Mountain, ten miles West of the present site of Hagerstown. There he died in 1750, leaving behind six stalwart sons.

The oldest, Evan Shelby, 2nd, was born in Wales in 1719, and came to America as a child with his parents. In the French and Indian Wars of 1754 he served as Captain in a company of rangers, and was with Braddock in the Fort du Quesne campaign. In 1745 he married Letitia, a daughter of David Cox of Licking Creek on the Potomac River near Old Fort Frederick. His known children are Evan 3rd, Isaac (born December 11th, 1750), James, Moses and Catherine.

In 1772 Capt. Evan Shelby removed, with his entire family to the Holston River region of southwestern Virginia, where he became Colonel of the Washington County militia. (This is now Sullivan County, Tenn.) Now in his sixtieth year he retired, temporarily, from active service, but in 1787 was again called forth and appointed Brigadier General of the Washington District, N. Ca., in connection with the excitement caused by the attempted foundation of the Frankland Commonwealth. During his period of activity Colonel Shelby, the elder, saw many campaigns against the Indian tribes.

In 1774 he commanded a company of rangers against the Shawnee tribe on the Scioto River, the famous chieftain, Cornstalk, leading the enemy forces. Our Isaac was with him in the great battle of the Kanawha, and served as lieutenant in his father's command. At the finish of this day's struggle—sunrise to sunset—his father and himself were the only officers left. Cornstalk withdrew during the hours of darkness, leaving the

field to the white men. A brother, James Shelby, was with Clarke at about this time in the Vincennes foray, and was left by him in the Illinois Country as Commandant.

After the battle of the Kanawha, Isaac became a surveyor, but was not allowed to remain in that peaceful occupation for long. In 1778 he was made by Governor Patrick Henry of Virginia, Commissary of the Department of the West. This same year he became a member of the Virginia Legislature from Washington County. In 1779 Governor Jefferson appointed him a Major in the frontier guards. In the same year he was commissioned by Governor Caswell of North Carolina, a Colonel of the forces of Sullivan County. In the intervals of military duty he continued his business as surveyor, being occupied in straightening out party lines in the new lands.

The fall of Charleston to the British made a deep impression on the people of the back-water country,—the transmontanians. Isaac Shelby straightway enlisted for the war and for freedom. Before he could go to the front he received an urgent message from Governor McDowel of North Carolina calling upon him as his agent in the mountains, to furnish all possible aid, men, munitions and clothing, everything in his power, to check the rapid movement of the British advancing through South into North Carolina and occupying the country West of Charlotte Town.

Shelby immediately placed himself in communication with Colonels Servier and Campbell, as well as other over-mountain commanders; then setting himself at the head of 300 mountain men crossed the Alleghenies and reported to General McDowell at Cherokee Ford, fifty miles north of the present site of Spartanburg, S. Ca. He was assigned with Colonels Clark and Servier to the duty of surprising foraging parties of British and Tories. Their forces being joined to those of Col. James Williams of the Ninety-sixth District of S. Carolina, the battle of Musgrove Mills followed. For the first time since the advance of the British their forces were defeated in an hardly contested action, Shelby says the fiercest of his life.

Shortly after this conflict Major Ferguson issued his famous

proclamation to the hill men that he would go through their country with fire and sword, hang their leaders and destroy their homes if they continued to give aid to the patriots. The message brought terror with it; on the one side they were menaced by the Cherokee Indians under British suasion, and on the other hand by a new enemy. Few of the inhabitants of the far-off valleys knew much of the war between the English and the Seaboard Colonies, and now they were to be crushed between the upper and nether millstones. Their liberties were to be lost, they saw destruction of their homes and slaughter to themselves. The tales that came from the lowlands were that the British were giving no quarter, applying the torch to the homes, and driving the women and children into the forests and waste places to starve and die of exposure. Unrest and alarm spread throughout the mountain settlements.

The battle of Cedar Springs followed shortly, and Shelby and his forces were driven to retreat, but not entirely defeated. This was on August 1st, 1780. Then followed a wilder alarm to the people of the over-Alleghenies. The enemy was coming, Charlotte Town was occupied, raiding parties under Ferguson and Tarleton were appearing most unexpectedly everywhere, penetrating even to Gilbert Town near the mountains. Native Whigs and Tories were shooting and hanging each other, to the extent that the country within a few months would be entirely depopulated. McDowell's army was dispersed and retiring on the mountains, leaving the population to the vengeance of their bloodthirsty enemies, British, and far worse, the Tories who accompanied them.

The final stage of terror is found in an insolent message of Ferguson's to the mountain men, despatched through a prisoner, Samuel Philips, a cousin of Isaac Shelby's, which read that if the back-water men "did not desist from their opposition to the King's arms, he would march his men over the mountains, hang their leaders and lay the country waste with fire and sword." This was about the tenth of August.

Philips carried the message directly to Shelby. He imme-

diately formed a plan of action, conferred with Colonel Servier, who approved, and together sent messengers in every direction to rouse the fighting men of the back-waters; those flowing westward, not eastward. Cols. Arthur McDowell and Andrew Hampton were camped at the Wautaga Settlement, having been driven before Ferguson's advance, and joined in Shelby's plans. The officials of Burke County offered aid and money for equipment. Col. William Campbell of Virginia was implored to aid in the emergency, at first would not respond, but later acquiesced. Mounted men rode to the far-away settlements for assistance. The Cherokees were threatening on that side, and the men held back, fearing to find their households slaughtered on their return, but eventually agreed. An envoy was sent to Col. Ben. Cleveland of Wilke's County asking him to join with the mountaineers at Sycamore Flats, in what is now Tennessee. His answer was, "I and my men will come."

On the 25th of September the trans-mountain men began to gather at the appointed place West of the mountains, and with their coming Campbell of Virginia, Shelby and Servier, Arthur McDowell with his refugees, Cleveland with his Wilkes and Surry men gradually joined forces. Shelby became provomarshal to keep jarring interests from trespassing on other's rights and keeping all in good humour—a difficult task.

On the following day, after divine service and prayers for the success of the expedition by the Rev. Samuel Doak, Presbyterian minister of the Wautaga Settlements, they set out on the long march, over a hundred and fifty miles, to where the enemy was to be found—and destroyed—or they would die in the attempt rather than subject themselves to British oppression. They presumed to find the enemy at Gilbert Town on a branch of the Broad River.

While on the march over the high mountains, here reaching their heads over five thousand feet, they received word that Williams, Lacey, Chronicle, of the South Carolina militia, would join them in their attempt to exterminate the foe. Thereupon they advanced to Quaker Meadows, the home of the Mc-

Dowells. On October 2nd the embodied corps were within twenty miles of Gilbert Town. Here Colonel Campbell was made commander of the whole force, messengers to General Gates for a superior officer of the Continental Line having failed to arrive. On October 4th Gilbert Town was reached, only to learn that Ferguson had fled before their advance, and had marched northward by the Cherokee Ford Road, and was heading toward Charlotte Town to join the main body of the British. Later advices gave that he had entrenched himself on the top of King's Mountain, a small eminence standing out into the plain country. They set out to follow. On October 5th the little army passed the Cowpens, afterwards noted for another decisive battle, this time under a Delaware commander, and there were joined by the South Carolina patriots under Williams, Hill and Hambricht. Heavy rains discouraged the weary men, who in order to keep their powder dry were obliged to sacrifice their persons to the downfall from the skies, but they marched onward. On October 6th the downpour ceased, and from spies and captures they learnt that Ferguson was only eight miles in front of them, awaiting attack in a position from which, so he said, "God Almighty only could disturb him."

The morning of October 7th dawned brightly. March forward was resumed, nine hundred men in the ranks, the order of battle arranged by Shelby. Each man was to consider himself as an unit, fight in Indian style, and seek protection as best he could. If driven back the companies were to reform in the woods, "every man to go into battle firmly resolved to fight until he dies." At three o'clock, afternoon, the final orders were issued.

Before Shelby's men had reached their assigned position they were fired upon by the enemy, but their commander urged them forward, and commanded them not to waste their powder in their excitement. Campbell's regiment coming up the hill from the other side was met by a bayonet charge from the British Regulars, and were repulsed, but Shelby's attack from another quarter obliged them to retire to the hill's crest, and allow

Campbell's force to reassemble. Thrice the British made bayonet charges, before which the Americans yielded, and thrice they were obliged to retire to the crest of the hill before the onslaught of the mountaineers from another side. It was to them, a veritable hornet's nest, one insect slain, twenty took its place. Ferguson fell before the rifle of a backwoodsman, and his second in command De Peyster, seeing the hopelessness of the situation, raised the flag of surrender. Never was a victory more complete, the dead and prisoners accounting for the entire British force, only fifteen being missing.

In the battle of the Mountain, the Shelby family were not only represented by Colonel Isaac, but serving under him were Major Evan 3rd, Captain Moses, and a nephew, David Shelby. Just how many other Marylanders participated in this conflict we do not know accurately. It is certain that Captain John Gist, a brother of Gen. Mordecai Gist, was among the slain. Doubtless there were others, for there had not long before been a large migration from the Potomac Mountain region into the Appalachian hinterland.

The mountain men were inured to bush fighting among the Indians, and were naturally fearless in conflict. For the most part they were armed with a superior weapon to the British, made in Philadelphia and Lancaster, Pa., by an artisan named Dechard² (more commonly Decker). This rifle was noted for its deadly accuracy in the hands of the backwoodsmen.

No time was to be lost in leaving the scene of victory. Cornwallis with his main army lay at Charlotte Town, not thirty miles away, and it was known that Ferguson had sent him appeals for aid. Under orders from General Gates, now at Hillsborough, the victors and their prisoners were to withdraw northwards, the latter to be sent to Fincastle Courthouse, Virginia. By the time the Catawba River was reached on the return march the over-mountain men, ever fearful of their homes being raided

² Dechard's Factory operated in Philadelphia from 1720 to 1756, and was then transferred to Lancaster, Pa. How long afterward it continued the manufacture of rifles is unknown.

by the savage Cherokees, were departing in groups. In less than a week after the battle, the prisoners far outnumbered their captors. Campbell now turned over the general command to Cleveland, and with Shelby traveled to Gates' headquarters, gave him the official report of the battle and those prisoners who had not escaped.

Colonel Shelby was not to rest in quiet after the action and retreat. Scarff relates that in the following January he and his militia were at the battle of the Cowpens under Morgan, where the British were again routed. Thereafter he was assigned to Marion's partizans in South Carolina. For his varied services he was voted a sword by the North Carolina legislature, and in 1782 became a member of that body. The same year he married Susanna Hart of Boonsboro, Kentucky, and was shortly thereafter selected a member of the Kentucky Convention. In 1792 he was elected Governor of the new State. Then followed a long interval of repose at his plantation, but in 1812, when the second war with Britain broke out, he was again called to the Governorship, and again elected.

In 1812, now 63 years of age, he led a body of 4000 Kentucky volunteers in the army of General Harrison into Canada, participating in the brilliant victory of the Thames. For his excellent service in this campaign he was voted a sword by Congress. In 1817 President Monroe selected him to be head of the Department of War, but he declined the honor. The following year Shelby was appointed, by his State, a Commissioner to treat with the Chickasaw Indians. This was his last public service, for in 1820 he was paralyzed, but the old war-horse survived the attack for six years, finally dying of another apoplexy in 1826.

Nine Counties in nine different States are named for Shelby, and in Continental Hall he is honored by a marble bust.

Not only in time of war, but equally in time of peace, was Shelby a notable figure. He was remarkable for his forceful purpose, for his accurate judgment and unerring common sense. After the tumults of the Revolution had ceased, he and his wife

settled, not far from Lexington, on a plantation named "Travellers Rest," where farming, the care of the slaves, and his growing family, gave interests apart from the cares of his official life.

I conclude this paper with a letter from Shelby to his daughter, written in half-humorous style, that portrays his character in a quiet moment.

May 4th, 1808.

Dear Susan :

I have been prevented from sending for you, near a week past, by the excessive rains that have fallen for some time. I hope by now that you are satisfied by your long sojourn abroad—indeed I fear that you have been too long troublesome to the good family you are with. Tomorrow, or next day, I shall expect you to shape your course homeward, and we will try to regale the rest of the season in winding yarn and wheying cheese. This I suppose will be a great cross to you. But remember that life is a continuous source of pleasure and pain, and to act our part well, we must bear adversity with becoming resignation.

My herd of deer look very well, and I flatter myself I shall have a few good ones at any time in the Summer that Mrs. Hart may find it convenient to pay us a visit. No event will afford me more pleasure than to have an opportunity of treating her with several of the best venisons in my park.

Your affectionate parent,

ISAAC SHELBY.

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THE SWEETSER FAMILY OF MARYLAND.

By LESTER DURAND GARDNER.

Many descendants of New England families migrated in the Eighteenth Century to Maryland where a more temperate climate and better trade conditions were to be found. Seth Sweetser, whose Puritan ancestry embraced such well known families as the Spragues, Breeds, Wigglesworths and Rhodes came from Malden, Mass., and settled at Annapolis, later moving near to Baltimore where he built the Sweetser Bridge across the Patapsco River. His home and toll house are still standing at Linthicum, the home and land development of several members of the Linthicum family, his descendants. This study traces the ancestry of Seth Sweetser in New England and gives, as far as could be learned, the record of his descendants who are to be found among many well known Maryland families.

The earliest known Sweetser of this family was James Sweetser of Tring, Hertfordshire, England. He was apparently married three times, his third wife being Jane Stowell. Their issue were John, Elizabeth, James, Benjamin and *Seth* who was born May 18, 1605. Seth, the youngest son emigrated to Charlestown, Mass., and was listed as an inhabitant in 1637 and at that time he was one of the proprietors. He was listed as a freemen, March 14, 1638-9; constable, Jan. 3, 1652; sealer of

leather, Jan. 2, 1653 and surveyor of highways, Jan. 2, 1659. He owned a ten acre lot on the Mystic River. On Jan. 31, 1630, he was married to Bethia Cooke and later, in April, 1661, to Elizabeth Oakes. His children with Bethia Cooke were *Benjamin*, Sarah, Mary, Hannah, Elizabeth and Anna.

Benjamin (James, Seth) Sweetser was baptised Dec. 7, 1633 at Tring. He died on July 22, 1718 and was buried in the Phipps Street Burying Ground, Charlestown, Mass. He married Abigail Wigglesworth (see note at end of article). Benjamin Sweetser served in King Phillips War (*N. E. Hist. Reg.*, Vol. 43, pp. 271, 354). He served under Lieut. John Floyd and received an allowance for his family while he was away. He was admonished and fined £10 by the General Court of Mass. in 1671 for circulating a petition to have three Baptists released from prison. His deed to property and Will are given in Wyman, "Genealogies and Estates of Charlestown, Mass.," p. 921. Issue: Abigail, Bethia, Benjamin, Seth, Joseph, *Samuel*, Wigglesworth.

Samuel (James, Seth, Benjamin) Sweetser, b. Nov. 1, 1673 at Charlestown, Mass., d. July 18, 1757 at Malden, Mass. He married Elizabeth Sprague (see note). Issue: Elizabeth, Abigail, Samuel, John, Jacob, Michael, Joseph, Lydia, Stephen, *Phinehas*, Mary. It is the descent of Phinehas from Samuel that has given much trouble as his name is omitted from the list of children of Samuel given by Wyman on p. 921 referred to above.

Phinehas (James, Seth, Benjamin, Samuel) Sweetser, b. Sept. 10, 1718 at Malden, Mass. and d. Sept. 24, 1764 at Stoneham, Mass. His Bible giving the dates of his birth and death and the births and deaths of his Children has been presented by Dr. G. Milton Linthicum of Baltimore to the Maryland Historical Society for its collection of Maryland genealogies. Phinehas married Mary Rhodes (see note). Issue: Elizabeth, Samuel, Thomas, Phinehas, Mary, Elizabeth, *Seth*, Johanna.

A comprehensive history of the Sweetser Family is being

prepared by Mr. Philip Sweetser of Waban, Mass., and when it is completed it will give all that is known of the entire family. He writes about the descent of Phinehas from Samuel Sweetser as follows: "Phinehas was buried in the Old Burying Ground at Stoneham, Mass. According to the gravestone inscription he died in his 46th year and married, Sept. 10, 1747 Mary Rhodes of Lynn, Mass., daughter of Thomas and Elizabeth (Burrage) Rhodes. Search of the town or church records has failed to disclose any record of his birth. His name is not mentioned in his father's will, dated Sept. 28th, 1752, nor can any deed be found with him as grantee or grantor. There is nothing in the official records to establish his parentage. Eaton in "History of Reading, Mass.," p. 341 states that Phinehas 'lived on the Pierce Farm now so-called in Stoneham and was the brother of Michael Sweetser who lived where Asa N. Sweetser now lives'. Private records have also been located in two separate branches of Phinehas' descendants."

"The covers of Phinehas Sweetser's own Bible which come down from Elizabeth Sweetser contain a complete record of Phinehas' family. The fact that this record states that Phinehas was born in 'Maltin' (Malden) is excellent corroboration that he was the son of Samuel. The record of his birth is not shown as the page is torn but his descendants give it as Sept. 10, 1718."

"The other family record of Phinehas was located in the possession of Prof. Ephraim Emerton of Cambridge, Mass., (retired Harvard Professor) whose grandmother was Hannah Sweetser, daughter of Samuel of Salem and granddaughter of Phinehas. This record states: 'A copy of the Family Record of Samuel Sweetser of Salem. Samuel Sweetser was born in Lynn and was the oldest son of Phinehas Sweetser who died in Stoneham in 1764 in the 46th year of his age. Said Phinehas was the youngest son of my grandfather Samuel Sweetser of Malden which the name of Sweetser sprang from.' Although evidence from official sources is lacking, the evidence from these sources definitely establishes the parentage of Phinehas beyond all doubt."

Seth Sweetser, son of Phinehas, moved to Annapolis as stated at the beginning of this article. He was born at Stoneham, Mass., June 5, 1762 and died July 19, 1828. He married, Nov. 9, 1790, Ann Valliant, b., Royal Oak, Talbot Co., Md. Dec. 11, 1765; d. Sept. 10, 1823. She was the daughter of John Valliant and Ann Robinson of Royal Oak and granddaughter of John Valliant of Tred Avon formerly called Third Haven Creek in the Great Choptank River, Talbot Co. Will dated Jan. 13, 1721, Talbot Co. This John Valliant was the grandson of the immigrant whose history is given in *Biographical Encyclopedia of Maryland*, 1874, p. 382.

ISSUE: Seth Sweetser and Ann Valiant.

- (1) Samuel Sweetser, b. Annapolis, Jan. 28, 1792; d. Jan. 8, 1881; m. May 7, 1816, Mary Ann Oldham; b. Baltimore, Aug. 3, 1793; d. Fairhaven, N. J., July 29, 1876.
- (2) Mary Sweetser, b. April 7, 1793 at Annapolis; d. Dec. 29, 1873 at Baltimore; m. April 22, 1818, William Rogers, b. Aug. 14, 1794; d. Oct. 3, 1862.
- (3) Seth Sweetser, b. Jan. 24, 1796; d. Sept. 13, 1848. He was in the Battle of North Point in 1814. Later in life he moved to Guayaquil, Equador, S. A., and became an exporter and partner in the firm Icaza, Sweetser & Co. He was American Consul at Guayaquil from May 5, 1834 until his death. He married Carmencita Rica and had children but a letter from the present Consul (1932) states that there are no living descendants so far as he could learn, the last son dying fifteen years ago.
- (4) Ann Sweetser, b. Feb. 10, 1798, d. 1882; m. James Hance b. 1786, d. 1865, an Old Defender of Baltimore.
- (5) Elizabeth Sweetser, b. Aug. 23, 1800; d. Dec. 22, 1875; m. William Linthicum. For issue, see *Maryland Historical Magazine*, Sept. 1930, p. 281.
- (6) Thomas Washington Sweetser, b. Sept. 5, 1802; d. Aug. 5, 1803.
- (7) Maria, b. June 11, 1804; m. Samuel Thomas.
- (8) Susan Bunn Sweetser, b. Nov. 13, 1807; d. 1900; m. David Edward Thomas.
- (9) Thomas Washington Sweetser, b. Jan. 25, 1810; d. Aug. 21, 1811.

The issue of (1) Samuel, (2) Mary, (4) Ann, (7) Maria, and (8) Susan Bunn Sweetser follow:

(1) Samuel Sweetser, son of Seth and Ann, was an "Old Defender" of Baltimore of the War of 1812. An affidavit made

by David Thomas Carter of Baltimore states that his grandmother Susan Bunn Sweetser told him the following about Samuel's service at the Battle of North Point: "Just before the battle, my brother (3) Seth who was eighteen, was drafted to aid in the defense of Baltimore. As Seth was young, my older brother (1) Sammy bought a uniform and said that he would also go along to take care of Seth. After the battle was over Seth came home but Sammy did not put in an appearance. My father, thereupon, hitched up his gig and drove to the battlefield to search for Sammy. They eventually found Sammy in a ravine with a shot wound across his mouth. Before leaving the field they picked up another wounded man, who, on account of the crowded condition of the gig, rode on the shafts. This man's name was Jesse Hunt and he afterwards became Mayor of Baltimore." Descendants of Samuel remember that he carried the bullet in his cheek until his death. The record of the services of Samuel and Seth Sweetser often appear under the names Switzer and Swetzer, variable spellings of the name. The Adjutant General of the Army in a letter to the writer dated April 3, 1931 gave the full records of the services of both in Capt. A. R. Levering's 5th Company, Maryland Militia from Sept. 7th, 1814 to Nov. 18, 1814. (See "Citizen Soldiers at North Point and Ft. McHenry", p. 33). Samuel received a pension on May 8th, 1871. He is buried in Greenwood Cemetery, Brooklyn N. Y.

ISSUE: Samuel Sweetser and Mary Ann Oldham Sweetser.

- (1) John O., m. Frances Tanner; issue: Samuel Charles, Carroll.
- (2) Edw. Francis.
- (3) Samuel.
- (4) Laura, b. Baltimore, 1825; d. Royal, France, July 31, 1905; m. John E. Forbes, d. Oct. 5, 1864, age 52; issue: 1. Lelia S., b. Dec. 20, 1847, d. May 28, 1930; m. John McKesson, Jr. and had Irving, Donald, Berkley, Grover, John, Clifford; 2. Cora S., m. Arnold C. Saportas; 3. Laura S., m. Geo. Temple Mayo; 4. John E., m. Bertha E. Tompkins; 5. Louise E., m. Julius F. Buchler; 6. Samuel S.
- (5) Eleanor, d. circ. 1852, m. John Bishop; issue: 1. Eleanor S., b. 1852, d. March 7, 1909, m. Thomas E. O. Marvin.
- (6) Eliza, b. 1838, d. June 18, 1888, m. Wm. J. Osborne (1837-1897); issue: 1. Louis Huber; 2. Wm. J.; 3. Lillian, m. Joseph P. Topping.

- (7) Henry Clay.
- (8) Ada, d. Aug. 3, 1902, age 70.
- (9) Victoria, b. Philadelphia, Pa., July 15, 1838, d. Nov. 16, 1921, m. Orville Oddie (b. Aug. 1833); issue: 1. Fred; 2. Orville; 3. Albert; 4. Victoria Adelaide, b. March 24, 1868, d. June 21, 1911, m. Ivan T. Mead.

(2) Mary Sweetser married William Rogers a merchant of Baltimore and lived there all her life. She and her husband and children are buried in the Rogers Vault at Green Mount Cemetery, Baltimore.

ISSUE: Mary Sweetser Rogers and William Rogers.

- (1) Eliza Ann, b. April 5, 1819, d. Dec. 6, 1885; m. May 28, 1839, Borius Fahnestock Gardner, b. York Springs, Pa., April 19, 1808, d. Jan. 23, 1885; issue: 1. William R., b. Sept. 28, 1840, d. Feb. 2, 1900, m. July 2, 1883, Ella McNeal; 2. Helen, b. Aug. 8, 1842, d. Dec. 12, 1854; 3. Theodore, b. July 20, 1844, d. Dec. 12, 1880, m. Agnes Stoddard; 4. Amelia, b. April 17, 1846, d. Dec. 31, 1852; 5. Mary Joseba, b. Nov. 10, 1848, d. Jan. 3, 1853; 6. Harry, b. Feb. 12, 1851, d. May 3, 1922, m. (1) Nov. 2, 1874 Frances Scott of Ironton, O. and had Lester Durand Gardner (see Who's Who in America); m. (2) Minnehaha Hawthorne and had Lawrence; 7. Elizabeth, b. May 17, 1853, m. Dr. David M. A. Culbreth; 8. Charles, b. Sept. 18, 1855; d. Feb. 24, 1914, m. (1) Sarah Frank; m. (2) Marion Miller; 9. Mary R. b. Sept. 9, 1858, d. April 30, 1862; 10. Anna Roberts, b. Dec. 2, 1861, d. May 5, 1924, m. Dec. 2, 1884, Albert Marburg; 11. John Buckler, b. May 18, 1864, d. Aug. 1864.
- (2) Amelia, b. July 15, 1821, d. March 8, 1846; m. Robert Wesley Dryden; issue: 1. Meredith; 2. Mary, m. Thomas Kensett; 3. Annie, m. John R. Kensett and had 1. John, 2. Mary who m. W. H. Dempsey.
- (3) James, b. 1828, d. 1883.
- (4) Charles, b. Nov. 8, 1832, d. April 24, 1863.
- (5) Philip, b. Aug. 14, 1835, d. Jan. 7, 1889.
- (6) Henry, b. June 8, 1840, d. Feb. 21, 1875.
- (7) Sarah, d. July 28, 1877, m. Phillip Hiss.
- (8) Jacob, d. Oct. 4, 1862.
- (9) Seth.
- (10) William.

(4) Ann Sweetser married James Hance,

ISSUE:

- (1) Seth m. Eliza Kirk, issue, Frank.
- (2) Ann S. d. s. p.
- (3) James, Jr., d. s. p.
- (4) Maria S., m. (1) Thomas Anderson Dorsey of Baltimore; issue: 1. Rev. James Owen Dorsey, b. Oct. 31, 1848, d. Feb. 4, 1895, an

ethnologist and authority on the American Indian language, m. April 18, 1876, Clara Virginia Wynkoop and had Virginia, b. 1880, m. Jas. Herndon Lightfoot; 2. Thomas Anderson, Jr., m. Bettie Claybaugh and had George B. and Lawrence A.; m. (2) Leven Stanforth of Calvert Co., Md.

- (5) Sarah S., d. s. p.
- (6) Christina Virginia, m. Henry Allnut.

(7) Maria Sweetser married Samuel Thomas, a widower with three children.

ISSUE:

- (1) Mary Rogers, m. Nikolas Brice Medairy (Madeira), issue: 1. Cora m. Percy Guard; 2. Samuel Thomas; 3. Edwin; 4. Anna Louise, m. Robert Lucas Chamberlaine.
- (2) Anna Maria, m. Rev. Charles W. Baldwin.
- (3) Amelia S.

(8) Susan Bunn Sweetser married David Edward Thomas,

ISSUE:

- (1) Florence, m. John M. Carter; issue: 1. John M. Jr.; 2. Mable; 3. David E. T.; 4. Mary Christine m. Herbert Bagg and had Herbert B. Jr.
- (2) Mary Rogers, m. Charles Green Summers; issue: 1. Charles G. Jr. m. Anna Strand McAuley; 2. Walter Penrose m. Grace Hubbard; 3. Grace, m. David Hays Stevenson.
- (3) Grace, d. young.

The General Society of the War of 1812 have accepted the service of Seth and Samuel Sweetser of Baltimore, sons of Seth of Annapolis and all descendants are eligible to membership. The following ancestors of Seth Sweetser of Annapolis have been accepted by the Society of Colonial Wars for their colonial war service and all his descendants are eligible to Colonial patriotic societies under their service: Ralph Sprague, John Sprague, (1624-1682), John Sprague, (1651-1703), Benjamin Sweetser, Thomas Burrage, Henry Rhodes.

As the foregoing was prepared almost entirely from family records, the compiler will be glad to receive corrections and additions to be placed with the original papers in the New York Geneological and Biographical Society.

REFERENCES AND NOTES.

Sweetser Family.

For those who wish to refer to the original sources on the Sweetser Family the following references are given: "Pioneers of Mass.," Pope, p. 443; "Old Charlestown", Sawyer, p. 368. The Will of Seth Sweetser, I, has been photostated and is to be found in the Sweetser Family collection in the library of the N. Y. Genealogical and Biographical Society, 122 East 58th St., New York. This collection contains a large number of letters and photostats from which much of the material in this article has been taken. The library is open to the public. "Stoneham Vital Records," p. 65; Bodge, "Soldiers of King Philips War", pp. 232-4; "Genealogy of the Wells Family" by G. W. W. Cushing, gives sketch of the Sweetser Family; "History of Charlestown, Mass.," p. 87; *New England Hist. Reg.*, Vol. 18, p. 29; Vol. 54, p. 356, Vol. 43, p. 276.

Wigglesworth Family.

For Abigail Wigglesworth, dau. of Edward Wigglesworth of New Haven, see "Genealogy of the Wells Family" by Cushing, p. 169; *New England Hist. Reg.*, Vol. 17, 1863, p. 130; "Genealogies and Estates of Charlestown," Wyman, p. 1029; "History of New Haven", Atwater, p. 531; *New England Hist. Reg.*, Vol. 18, p. 29, Vol. 2, 1857, pp. 110-11, "Certain Comeovers" by W. H. Crapo, Vol. 2, p. 689.

Rhodes Family.

For the genealogy of Mary Rhodes, b. March 4, 1727, d. March 27, 1813 who m. Phinehas Sweetser see *Lynn Vital Statistics*, Vol. I; "History of Lynn," A. Lewis, pp. 190, 281-2, 293; "Colonial Families of America", Rhoades, p. 394-5; "Society of Colonial Wars" 1922, p. 396. She was descended from Henry Rhodes who was Representative of the General Court of Mass. and served in King Philips War. Mary Rhodes' mother was Elizabeth Burrage who was descended from the

Burrage and Breed Families. For Burrage Family, see "The Burrage Memorial", by Alvah Burrage, 1877, p. 160. For Breed Family, see *Essex Antiquarian*, Vol. XI, No. 4, p. 1 and the publications of the Breed Family Association, of Lynn, Mass.

Sprague Family.

Samuel Sweetser m. Elizabeth Sprague, b. 1676, d. March 12, 1572. For a complete history of her ancestry see "The Sprague Family of Malden, Mass.," by Chamberlain. Two of her ancestors served in King Philips War.

PROCEEDINGS OF THE SOCIETY

January 11th, 1932.—The regular meeting of the Society was held tonight with the President in the chair.

A letter was read from Mrs. Hester Dorsey Richardson in which she states that she is returning to this Society, as the Official Custodians of the State Archives, "A group of papers which form a link in a series of Naval Officers' Reports of several Ports of Entry in Maryland." The letter explains how they came into Mrs. Richardson's possession, and states that these particular papers have been published in the Maryland Original Research Society Bulletin, No. 3, 1913.

The attention of the Society was brought to a piece of music in its possession which, after long research, has been proven to be the first copy of the Star Spangled Banner printed with the words and music combined. It was printed in 1814 at Carr's Music Store, 36 Baltimore Street, by Joseph Carr and his son Thomas. This information was obtained through Mr. Knowles of Mamaroneck, New York, a grandson of Thomas Carr.

Vice-President De Courcy W. Thom was recognized by the Chair. He presented the following Minutes which were unanimously adopted:

From the very forefront of our ranks, O fellow-workers in the field of History, remorseless Death has snatched untimely a shining one who was our comrade since 1913:—John Holladay Latané, born April 1st, 1869, in Staunton, Virginia, died January 1st, 1932, from a culminating heart attack in New Orleans, Louisiana, where he had arrived the previous day to attend the meeting of the American Association for the Advancement of Science, after just having completed a course of lectures at the University of Southern California in the City of Los Angeles.

He was a Christian gentleman, an incessant student, and an incisive thinker whose chosen life work was American History. But we who knew John Latané personally will remember him chiefly as a fearless soul who sought always basic facts and reasoned on them well and then clearly emphasized his conclusions. Mastering his sources, deducing principles from them, he went on to apply their import logically and humanistically to developments in the United States of America and internationally. No cloistered student he! With tongue and pen he fought for his convictions, believing with Roosevelt that "aggressive fighting for the Right is the noblest sport life affords", and with Woodrow Wilson, his fellow-townsmen and friend and fellow Presbyterian, that Truth must be upheld undauntedly; and with Robert E. Lee that "Duty is the noblest word in the English language". We had John Latané in Baltimore for about forty-five years. His parents, Bishop James Allen Latané and Mary Minor (Holladay) Latané, representatives of the best Virginian blood, brought him to Baltimore in 1880. He attended there Public School No. 15, graduated at the Baltimore City College in 1889, won at the Johns Hopkins University in 1892 a B. A., in 1895 a Ph. D.: taught as Acting Professor of History in the Baltimore City College from 1895 to 1896; taught History and English at San Rafael (California) Military Academy from 1896 to 1897; lectured at Johns Hopkins University from 1897 to 1898 as the first Albert Shaw lecturer in diplomatic History; was Professor

of History and Economics at Randolph-Macon (Virginia) Woman's College from 1898 to 1902; was Professor of History at Washington and Lee University 1902-13; was Professor of American History and head of Department of History at Johns Hopkins University from 1913-30, and was a member there of the Page School of International Relationships 1930-31.

And honors and duties clustered thick upon him. He was Dean of Johns Hopkins College faculty 1919-24; Member of the Commission to draft a new Charter for the City of Baltimore in 1917 in order to secure Home Rule; Chairman of the Educational Commission Maryland Council of Defense 1917-19; Member of the Board of Trustees, St. John's College, Annapolis; President of the Board of Trustees, Roland Park Country School, Baltimore City, and an Elder in the famous Franklin Street Presbyterian Church.

He held membership in the American Historical Association; American Political Science Association; American Society of International Law; American Antiquarian Society; Society of Colonial Wars in the State of Maryland; Phi Beta Kappa; Royal Historical Society, and was a Chevalier of the Legion of Honor (France).

He was a Democrat and always remembered the rightful claims of the individual.

Many were his lectures, addresses, articles, books. They dealt chiefly with international law and diplomacy. Here are some of the contributions from him:

Joint author with Edith Latané, *American History for Young Americans*, 1927, revised 1931.

Author of "The Diplomacy of the United States in Regard to Cuba," in *American Historical Association, Annual Report* for the year 1897. Washington, 1898, pp. 217-277.

"The Early Relations Between Maryland and Virginia," *Johns Hopkins Studies*, 1895, 13 ser., III, pp. 7-66.

Isolation to Leadership, 1918 (revised) 1919, 1922, 1925.

History of American Foreign Policy (revised) 1929.

The History of the American People, 1930.

A History of the United States, 1918 (revised) 1921, 1924, 1926.

"How Senator Borah Handles Facts; Our Revolutionary Debt to France, 1925." Address delivered before the Association of History Teachers of the Middle States and Maryland.

"The Neutralization Features of the Hay-Pauncefote Treaty." *In American Historical Association, Annual Report*, for the year 1902.

"The Panama Canal Act and the British Protest." *In American Journal of International Law*. New York, 1913. Vol. 7, pp. 17-26.

"The Treaty Relations of the United States and Columbia." *In the Annals of the American Academy of Political and Social Science*. Philadelphia, 1903; No. 1, XXII, 113-126.

"Statements, Interpretations and Applications of the Monroe Doctrine and of more or less Allied Doctrines from 1870 to the Present Day." Address delivered at the Eighth Annual Meeting of the American Society of International Law at Washington, 1914. Reprinted from the *Proceedings of the Society*.

Why the American Historical Association needs Thorough Reorganization. Washington, D. C., National Capital Press, 1915. Joint author with Frederic Bancroft and Dunbar Rowland. American Historical Association, Dr. Latane, 1869-1931.

Diplomatic Relations of the United States and Spanish America, 1900.
America as a World Power, 1907.

The United States and Latin America, 1920.

History of American Foreign Policy, 1927.

Contributor, chiefly on International law and diplomacy.

For such achievements the University of Alabama and Washington and Lee University respectively conferred upon him in 1895 the Degree of LL. D.

John Latané is mourned by a host of friends in the Maryland Historical Society; in his chosen Club—the University Club of Baltimore City; in the Johns Hopkins University, and throughout the college world and in many parts of Maryland and in this and other countries, for he was indeed an able historian and a kind, good, interesting, splendidly informed and gracious fellow who won you despite his shyness. He found life warm and gratifying. The chief joy of it came to him on October 17th, 1905, when he married Mrs. Elinor J. (Junkins) Cox of Lexington, Virginia. One child, Elinor, now the wife of William T. Bissell of New York City, was born to them. They have one child, John Latané Bissell.

Is it best to rust out or to work out? Latané probably never paused to debate that question. He simply worked at the highest speed possible to him until the very end of his course. Would that he had always worked short of exhaustion; if so we would doubtless still have him with us. But

The Moving Finger writes; and, having writ,
 Moves on: nor all your Piety nor Wit
 Shall lure it back to cancel half a Line,
 Nor all your Tears wash out a Word of it.

Funeral rites were conducted for him on January 4th, 1932, by Reverend Harris E. Kirk, at Franklin Street Presbyterian Church which was crowded with many sorrowing dignitaries and humble friends. Interment was in the Lexington, Virginia, Cemetery, near Washington and Lee University after simple services conducted at the grave by the Reverend Vincent C. Franks, Rector of Lee Memorial Episcopal Church.

So has John Holladay Latané found rest from his labors.

But it is fitting that some statement of the deep appreciation of the Maryland Historical Society for our friend and fellow worker, John Holladay Latané, be adopted and transmitted to each of the institutions¹ with which he was identified as a student or as a teacher, and to his devoted family:—therefore in the name of all here present I have the honor to make that motion.

The following resolution, prepared by Mr. Thomas C. Corner, was introduced and unanimously adopted:

Whereas by the Will of the late Henry Walters, the City of Baltimore is bequeathed his Art Gallery and his residence, with their contents, and a liberal fund for their maintenance, for the benefit of the public:

Be It Resolved, That the Maryland Historical Society, of which he was the oldest member at the time of his death, place on its Minutes a record of its appreciation of this great gift to the City.

The generous civic spirit which prompted Mr. Walters to this act is worthy of all honor. Owing to its high merit and varied character this art collection will exert a definite influence

¹Public School No. 15, Baltimore City, Maryland; Baltimore City College, Baltimore City, Maryland; The Johns Hopkins University, Baltimore, Maryland; San Rafael Military Academy, Los Angeles, California; Randolph-Macon Woman's College, Lynchburg, Virginia; Washington and Lee University, Lexington, Virginia.

on the cultural life of Baltimore and will be a source of enobling pleasure to her citizens.

Be It Further Resolved, that this inadequate expression of the Society's sense of gratitude for this great benefaction and its respect for the memory of Henry Walters, be sent to his widow.

The regular business was interrupted to introduce Dr. Harris Kirk, the speaker of the evening.

Dr. Kirk gave a most delightful talk on "William Blake: Poet and Artist". At the close of his talk the Society gave a rising vote of thanks for the most interesting and enlightening evening.

The following deaths were reported from among our Members:

Mrs. Edmond Pitts Harrison, during the summer of 1930.

W. J. Chapman, Esquire, during the fall of 1931.

Mr. Ralph Corbin Taylor, August 8th, 1931.

Mrs. John J. Donaldson, October 14th, 1931.

Dr. John H. Latané, January 1st, 1932.

It was stated that by Article III, Sections 8 & 9, of the Constitution it was provided that nominations be made for the various Offices and Standing Committees, to be voted upon at the Annual Meeting to be held February 8th. Upon motion duly seconded and carried the present incumbents were re-nominated, but it was stated that other nominations can be made within ten days by sending names to the Recording Secretary, over the signature of five members entitled to vote.

The ballot was cast as follows (see page —), and it was noted that the Committee on Addresses was nominated short of one member, due to the death of Dr. John H. Latané.

February 8th, 1932.—The regular meeting of the Society was held tonight with the President in the chair.

Through the courtesy of Purnell Art Galleries a crayon and charcoal drawing of Edgar Allen Poe was exhibited. The drawing is said to have been made in 1846 by Rembrandt Peale and presented to Poe, in consideration of services rendered Mrs. Peale by Mr. Poe. The drawing is signed on the back, but its authenticity is doubtful.

It was reported that through the courtesy of the National Society of the Daughters of the Founder and Patriots of America, it was possible to have the Gilmer Papers repaired and bound, and that the work is now completed and would be on exhibition. The sincere thanks of the Society for this much appreciated contribution will be sent to the named Society.

It was reported that the Society would present the Worcester County Parish of St. Martin's a photostat copy of the Parish Register which the Society was allowed to copy through the courtesy of the Vestry of the Church.

The following named persons having been previously nominated were elected to membership:

Active:

Mrs. Duncan McCullough
 Mrs. William E. Lamble (Anna Rittenhouse)
 Mrs. Hugh Birekhead
 Mrs. Lee Roberts Pennington
 Mr. Harold Hardinge

Associate:

Mrs. Winchester Britton

Upon motion duly seconded the regular monthly meeting adjourned.

ANNUAL MEETING

February 8th, 1932.—Immediately upon the adjournment of the regular monthly meeting, the Annual Meeting was called to order by the President.

The reading of the minutes of the last Annual Meeting was

dispensed with, as they were printed in the March, 1931, issue of the *Maryland Historical Magazine*.

It was reported that no additional nominations had been made within the specified time after the January meeting of the Society, therefore there would be no competition for any office, or any Standing Committee. It was moved, seconded and carried that the Secretary cast the ballot in full, as printed, a copy having been mailed to each member of the Society.

The following results were announced:

President, W. HALL HARRIS

Vice-Presidents, DECOURCY W. THOM, CLINTON L. RIGGS,

RICHARD M. DUVAL

Treasurer, HEYWARD E. BOYCE

Recording Secretary, GEORGE L. RADCLIFFE

Corresponding Secretary, JAMES E. HANCOCK

Trustees of the Athenaeum:

G. CORNER FENHAGEN, *Chairman*
WILLIAM G. BAKER, JR.
RANDOLPH BARTON, JR.
JESSE N. BOWEN
WILLIAM H. GREENWAY
WILLIAM C. PAGE

Gallery Committee:

LAURENCE HALL FOWLER, *Chairman*
THOMAS C. CORNER
JOHN M. DENNIS
R. MACGILL MACKALL
LAWRASON RIGGS

Library Committee:

LOUIS H. DIELMAN, *Chairman*
HENRY J. BERKLEY
WALTER I. DAWKINS
GEORGE HARRISON
EDWARD B. MATHEWS
RAPHAEL SEMMES
A. MORRIS TYSON

Membership Committee:

JAMES D. IGLEHART, *Chairman*
ALICE R. BRENT
GEORGE ARNOLD FRICK
T. MURRAY MAYNADIER
DANIEL R. RANDALL
CHARLES M. REEDER
FRANCIS E. WATERS

Finance Committee:

WILLIAM INGLE, *Chairman*
HOWARD BRUCE
PETER E. TOME

Publication Committee:

SAMUEL K. DENNIS, *Chairman*
J. HALL PLEASANTS
JOHN M. VINCENT

Genealogy and Heraldry Committee:

WILLIAM B. MARTE, *Chairman*
WALTER W. BEERS
JANE JAMES COOK
FERDINAND B. FOCKE
HARRIET P. MARINE
PERCY G. SKIRVEN

Addresses and Literary Entertainment:

JOHN L. SANFORD, *Chairman*
GEORGE CATOR

It was reported that the Committee on Addresses was elected short of one member, but that the vacancy would be filled by the Council, as the Committee failed to nominate anyone to fill said vacancy caused by the death of Dr. John H. Latané.

The President acknowledged receipt of the Annual Reports of the Trustees and the various Standing Committees.

It was moved by Judge Dawkins, seconded and carried that the Reports be accepted, without being read, as the reports will be published in the June, 1932, issue of the *Maryland Historical Magazine*.

The President was requested to read the Report of the Council. Said report was read as follows:

REPORT OF THE COUNCIL

The Report of Council submitted at the last Annual Meeting of the Society, closed with a reference to reductions of its revenues and consequent curtailment of budget allowances. It is now constrained to report further reduction and consequent curtailment for the coming year, its investments being—it is hoped but temporarily—less productive of income and its membership falling off in consequence, mainly, of the strenuous times through which we are passing.

Every practicable economy has been introduced, except reduction of compensation of employees, which the Council has very earnestly striven to avoid in recognition of the loyal service which has been, and continues to be, rendered by the operating force.

While the efficiency of the Society has not been materially impaired, the scope of its operations is, unavoidably, contracted.

The reports of the Treasurer, of the Trustees of the Athenaeum and of the Standing Committees set out in detail the various activities of the Society and will appear in the report of this meeting to be published in the *Magazine*.

The reports of the Treasurer and Finance Committee show the funds of the Society to be conservatively invested and to be

productive of as considerable income as is consistent with such investments.

Recognizing the responsibility of the Society for the safety of its own property, and of that of which it becomes custodian, the Trustees of the Athenaeum have, at heavy expense, placed the buildings under the continuous protection of The American District Telegraph Company, a precaution not heretofore deemed necessary, but which, under changed conditions, now appears to have become eminently proper. They have also maintained the whole plant in working condition.

The Committee on the Gallery loaned the Peale portraits to the Municipal Museum for a short exhibition period and has arranged for the preparation and loan to the George Washington Bicentennial Commission of several valuable and appropriate portraits to be exhibited during the celebration in Washington.

The Library has been operated efficiently under serious handicaps and acknowledges many valuable gifts and acquisitions; the repair division has handled a heavy volume of matter, including the Kent County records and the Robert Gilmer papers, the reconditioning and binding of which was rendered possible through the generosity and initiative of the National Society of Daughters of Founders and Patriots of America; the continuing labor of the catalogue division has been heavy and adds greatly to the value and accessibility of the Society's large collection of historical matter.

One volume of the State Archives has been published, and two more are in press.

The membership of the Society, in all classes, now aggregates 1,221, a net decrease during the past year of 56.

Acknowledgment is made to the Committee on Addresses, to which the Society is indebted for an unbroken series of papers read at the Society meetings, to the information as well as to the enjoyment of the members, and of historic value.

With sincere and profound sorrow the Council has recorded the death, on December 8, 1931, of Mrs. H. Irvine Keyser. To

us, meeting in "The Keyser Memorial," comes with peculiar acuteness the realization of the loss of one of the longest in membership of the Society and the greatest of its benefactors—to whom not only this Society but the State and City as well, are gratefully indebted for the opportunity to preserve their history, afforded by her splendid generosity which constitutes a lasting and double memorial, both for herself and to her late husband; one which shall endure, not for today or tomorrow, but while successive generations, seeking the facts of history, and of scholars, endeavoring to embellish them, shall constantly pay their thankful tribute to her memory.

Respectfully, for the Council,

W. HALL HARRIS, *President*.

Upon motion duly seconded, and carried, the Annual Meeting adjourned.

Immediately upon adjournment Mr. William B. Marye was introduced, and he read a most delightful paper entitled "Indian Maryland: Its Towns and Trails," which was a continuation of a paper, under the same title, read by him at Monthly Meeting of the Society in April, 1931.

At the close of the paper the thanks of the Society were extended to Mr. Marye for his most interesting and instructive paper.

REPORT OF THE TRUSTEES OF THE ATHENAEUM

I beg to submit herewith report of the Trustees of the Athenaeum for the calendar year 1931.

The budget allowance at the beginning of the year was \$4,000; \$500 less than the allowance for the previous year, when there was a balance at the end of the year of \$371.46. We have expended during 1931 for maintenance of the building, salaries, fuel, insurance, taxes, etc., a total of \$4,211.28, leaving a deficit for 1931 of \$211.28.

In connection with the maintenance of the property, it was found necessary to make this year rather extensive repairs to the skylights, and to replace several tubes in the boilers. It may be necessary to replace other tubes this coming year.

The following is a detailed statement of expenditures:

Appropriation—1931	\$4,000.00
<i>Expenditures:</i>	
Wages	\$1,784.64
Repairs	634.84
Extra labor.....	7.50
Supplies	69.24
Light	267.45
Fuel	734.78
Insurance	268.01
Taxes	279.07
Water rent.....	56.50
Removing ashes.....	60.00
Miscellaneous	49.45
	4,211.28
1931 deficit.....	\$ 211.28

The cost of the installation of a burglary alarm system is not included in the above list of expenditures. The initial cost of this work was \$427.20, with an annual charge of \$427.20 in accordance with our contract with the American District Telegraph Company.

Respectfully submitted,

G. CORNER FENHAGEN,
Chairman.

REPORT OF FINANCE COMMITTEE

The Finance Committee of the Society has not been required during the past year to take any action with respect to the securities owned by the Society.

On February 3, 1932, the undersigned in company with the Treasurer, Mr. Heyward E. Boyce, checked and counted all of

the securities in the custody of the Treasurer, all as listed in the memorandum filed with the Council.

WILLIAM INGLE,
Chairman, Finance Committee.

REPORT OF THE TREASURER

GENERAL ACCOUNT

Balance on hand Jan. 1st, 1931..... \$ 945.07

RECEIPTS

Dues from Members..... \$5,808.00

General Account:

Rent War Record Com.....	\$1,083.33	
Photostat	110.40	
Telephone	25.60	
Books sold.....	43.50	
Refund insurance.....	25.50	
Miscellaneous	25.61	
		1,313.94

Permanent Endowment Fund:

Mrs. Joseph Y. Jeans.....	\$ 25.00	
V. E. Mohler.....	10.00	
Life Members:		
Lenette F. Jeanes.....	100.00	
J. Alexis Shriver.....	100.00	
Edmund Key.....	100.00	
		* 335.00

Income Peabody Fund.....	965.00	
Income other than Peabody Fund.....	2,900.48	
Income Athenaeum Fund.....	4,055.00	
Income Audubon Fund.....	40.00	
Investigation and searches.....	23.00	
Confederate relics.....	75.00	
Certificate of Membership.....	16.00	
Publication Committee.....	47.35	
Magazine account.....	437.28	
Interest on bank balance.....	35.53	
Audubon Fund (on a/c sale of Audubons).....	† 1,000.00	
Securities (5 N. Y., Chic. & St. L. R. R. 5½s, called at 107½).....	5,375.00	
		22,426.58

\$23,371.65

EXPENDITURES

General Account:

Salaries	\$8,815.92	
Trustee Account.....	2,429.09	
Office	508.61	
Treasurer	123.75	
Gilmore Papers.....	197.90	
Address Committee.....	106.50	
Membership Committee.....	5.00	
Miscellaneous	9.25	
		\$12,196.02
Magazine account.....	1,967.33	
Library Committee.....	2,437.16	
Publication Committee.....	298.62	
Gallery and paintings.....	17.25	
Securities purchased.....	5,277.72	
Interest accrued on securities purchased.....	23.68	
Part purchase price of \$1,000 Balto. City 4%, due 1938, for account Athenaeum Fund.....	64.54	
		<u>22,282.32</u>
Balance on hand Dec. 31st, 1931.....		\$ 1,089.33

To be invested: *\$335.00 in Perm. End. Fund, †\$1,000.00 Audubon Fund. Included in the above.

HEYWARD E. BOYCE,
Treasurer.

STATE OF MARYLAND ARCHIVES ACCOUNT

Balance on hand Jan. 1st, 1931..... \$ 3,404.85

RECEIPTS

From State of Maryland.....	\$ 2,740.05	
Interest on bank balance.....	42.24	
Receipts in general.....	421.26	
		<u>3,203.55</u>
		\$ 6,608.40

EXPENDITURES

Archives repairs.....	\$ 1,216.12	
General Archives.....	1,492.48	
		<u>2,708.60</u>
Balance on hand Dec. 31st, 1931.....		\$ 3,899.80
State of Maryland appropriation 1931.....	\$ 6,500.00	
Paid to Society.....		\$ 2,740.05
Paid direct to Lord Balto. Press on acct.....		3,759.95
		<u>\$ 6,500.00</u>
		\$ 6,500.00

ATHENAEUM FUND INVESTMENT ACCOUNT

ORIGINAL FUND.....	\$100,000.00	
Interest on bank balance.....	409.53	
		<hr/> \$100,409.53

EXPENDITURES

Securities purchased 1930.....	\$ 75,014.25	
Interest accrued on securities purchased.....	458.82	
Interest on bank balance (Trans. to Income a/c) ..	131.51	
		<hr/> 75,604.58

Balance on hand Jan. 1st, 1931.....	\$ 24,804.95
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Credits

Interest on bank balance.....	110.56	
Taken from General Acct. as part payment for securities...	64.54	
		<hr/> \$ 24,980.05

Debits

Securities purchased (as per attached sheet) ...	\$ 24,961.27	
Interest accrued on securities purchased.....	18.78	
		<hr/> 24,980.05

SPECIAL ACCOUNT RESTORATION OF ST. PAUL'S CEMETERY

Balance on hand Jan. 1st, 1931.....	\$ 1,452.03
Interest on bank balance.....	6.56

\$ 1,458.59

Expenditures	1,289.98
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Balance on hand Dec. 31st, 1931.....	\$ 168.61
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INVESTMENT ACCOUNT 1931

ATHENAEUM INVESTMENT FUND

Uninvested funds Jan. 1st, 1931.....	\$24,804.95
Interest on bank balance.....	110.56
Taken from General Account, used as part payment for securities	64.54

\$24,980.05

SECURITIES PURCHASED

\$1,000 Balto City 4s, 1938.....	\$ 1,032.50
\$2,000 City of Cambridge 4½s, 1939.....	2,051.20
\$2,000 City of Cambridge 4½s, 1940.....	2,056.93
\$5,000 Calvert County Road Bonds, 4½%, 1938....	5,120.64
\$5,000 Phila. Elec. Co. 1st 4s, 1971.....	4,675.00
100 shrs. United Gas Imp. Pfd.....	10,025.00
Accrued interest.....	18.78
	<hr/> \$24,980.05

GENERAL FUND

\$5,000 N. Y., Chicago & St. Louis R. R. Co. 5½s, called Jan.,
1931, at 107½..... \$ 5,375.00

SECURITIES PURCHASED

\$1,000 City of Jacksonville, Fla., 5½s, due Jan. 15th, 1940.....	\$ 1,050.24	
\$4,000 City of Jacksonville, Fla., 5½s, due Jan. 15th, 1944.....	4,227.48	
Accrued interest.....	23.68	
	<hr/>	5,301.40
Balance.....		\$ 73.60

Special Reserve Fund Investment Now Held

\$4,000 U. S. Treasury Cert. 3¾%, due 1940/43.

 REPORT OF THE COMMITTEE ON PUBLICATIONS

During the year 1931 one volume of the *Archives of Maryland* has been published. This volume, which is one of the sub-series known as the "Journal and Correspondence of the State Council, 1781," contains the more important letters addressed to the Council in this critical year of the Revolution. Although it bears the title-page date of 1930, it did not actually appear until early in 1931. Two other volumes of the *Archives* are in press and should appear early in the year 1932. One of these, volume XLVIII, is the "Journal and Correspondence of the State Council 1781-1784," and the other, volume XLIX, is the "Proceedings of the Provincial Court 1663-1666." These will be followed by a volume containing the "Proceedings and Acts of Assembly 1762-1764," which is now being prepared for the press. As in the past the cost of the publication of the *Archives* is met by an annual appropriation of the State which is expended under the auspices of the Maryland Historical Society.

The *Maryland Historical Magazine* continues to be published under the able editorial supervision of Mr. Louis H. Dielman. During the past year four numbers appeared. Owing to the increased demand for copies more were issued than was

anticipated, resulting in a small deficit as is shown by the statement which follows:

The disbursements of the *Magazine* account for the year 1931 are as follows:

Volume 25, No. 4—Cost of printing.....	\$	403.38
Volume 26, No. 1—Cost of printing.....		672.27
Volume 26, No. 2—Cost of printing.....		421.63
Volume 26, No. 3—Cost of printing.....		470.05
		\$1,967.33
Editor	\$200.00	
Postage	92.20	
Miscellaneous	5.00	
		297.20
		\$2,264.53
1931 Appropriation.....	\$2,000.00.	
Expenditures	2,264.53	

\$ 264.53 deficit year ending Dec. 31, 1931.

Respectfully submitted,

SAMUEL K. DENNIS, *Chairman,*

JOHN M. DENNIS,

J. HALL PLEASANTS,

Publication Committee.

REPORT OF THE COMMITTEE ON THE LIBRARY

Your Committee on the Library reports that the past year, despite the handicaps of limited funds and serious illness among the staff, has been a fairly satisfactory one. Your Committee has held regular monthly meetings and in addition to assisting with the correspondence has exercised constant supervision over the work of the Library.

Our collections have been enriched through generous gifts of members and friends, which is highly important not only on account of the value of the gifts, but also as a concrete evidence

of the continuing interest of the donors and the public. No record is kept of the number of calls on the services of the employees, nor of the very large number of requests for information by letter and by telephone.

There have been added during the past year by gift 164 bound volumes, 76 pamphlets, 312 manuscripts including ten record books, 30 photostat copies of documents and genealogies, 15 maps, and 343 pieces of sheet music.

We have been fortunate in having been able to purchase a copy of the very rare London edition of the Rev. Thomas Craddock's version of the Psalms. It is worthy of mention here that we already owned a perfect copy of the original Annapolis edition of this work, of which only two perfect copies are on record.

An unusually large amount of work has been accomplished by the repair department. The four skilled workers have repaired and crepelled 10 manuscript volumes and 1,809 separate manuscripts, aggregating 5,207 pages. This includes the three volumes of Kent county records of which photostat copies were made for the Society, being three parts of Liber A, one of the oldest county records in existence. The collection of Gilmore papers was reconditioned and bound at the cost of the National Society Daughters of Founders and Patriots and on their initiative. A fitting resolution of thanks was formally passed by the Society in general meeting.

The cataloguing has been carried forward by the Misses Davison, whose intelligent interest has been of the greatest value to the Society and to its patrons.

The employees of the Library have given faithful and intelligent service to our many searchers for information. The past six months has seen a great influx of claimants to the vast Wendell estate in New York. Miss Mary Peyton, the junior assistant, resigned to be married and her place has been taken by Mrs. Edgar Barnes, who for six months had served as a volunteer worker.

LOUIS H. DIELMAN,
Chairman, Library Committee.

REPORT OF THE COMMITTEE ON ADDRESSES AND LITERARY
ENTERTAINMENTS

The Committee on Addresses and Literary Entertainments reports that the programmes submitted by it during the year 1931 were as follows:

January: "Ancient and Modern Communication in Maryland." An illustrated lecture by Mr. Oliver Martin.

February: "The History and Development of Submarine Cables." An illustrated lecture by Mr. C. D. Hart.

March: "Some Notes on Higher Education in Maryland," by Dr. David Allan Robertson.

April: "Indian Maryland; Its Towns and Trails," by Mr. William B. Marye.

May: "The Remarkable Career of John Dandy," by Hon. A. S. J. Owens.

October: "Captain Lambert Wickes, C. N.—A Maryland Forerunner of Commodore John Paul Jones," by Mr. DeCourcy W. Thom.

November: "John Marshall, a Judicial Statesman," by Mr. Richard Constable Bernard.

December: "Modern Mass Transportation," by Mr. Henry B. Potter.

and in the present year (1932) the schedule for the first four months has been arranged as follows:

January: "William Blake; Poet and Artist," by Rev. Harris Kirk, D. D.

February: "Indian Maryland; Its Towns and Trails." A continuation of a former lecture on the same subject by Mr. William B. Marye.

March: "The Restoration of Independence Hall, Philadelphia." An illustrated lecture by Mr. Horace Wells Sellers."

April: "John Hanson and the Swedish Settlements in Maryland," by Dr. Amandus Johnson.

It should be noted that the lecture of Mr. Oliver Martin in January, 1931, was obtained through the courtesy of the Chesapeake & Potomac Telephone Company, while that in February, 1931, by Mr. C. D. Hart, was through the courtesy of the Western Electric Company.

It is with sorrow we announce the loss by death of Dr. John H. Latané, who had been a member of the Committee on Addresses and Literary Entertainments for some years prior to his demise and whose scholarly attainments were well known to his fellow members of this Society.

We would like once more to urge the membership to attend

the regular meetings of the Society, as in this way it shows an appreciation of the courtesies of the various speakers and lecturers who appear before it.

Respectfully submitted,

JOHN L. SANFORD,
Chairman.

ANNUAL REPORT OF THE COMMITTEE ON GENEALOGY AND
HERALDRY

The Committee on Genealogy and Heraldry held one meeting during the past year. At this meeting, which was held in February, William B. Marye, chairman of the Committee, was elected to represent the Committee on the Council.

Mr. Ferdinand B. Focke was elected secretary of our Committee to take the place of Mr. Percy Skirven, who resigned from that office.

Miss Jane J. Cook, a member of our Committee, has for some time been engaged in preparing a calendar of the Scharf papers.

Mr. Ferdinand B. Focke has published in this magazine genealogies of the Winchester, Owings and Linticum families. He has deposited with this Society genealogies of these families and of the Owens family, as well as genealogies of the Carroll and Barnes families of Somerset County and of the Miller family of Kent County. Mr. Focke has also deposited copies of several Owens family Bible records.

The following genealogical material was received during the year 1932:

Hamilton Family of Charles County, Maryland, by Mrs. Maria Louise Hamilton Kelley and Mrs. Inez Baleman Cherault. Presented by Mrs. M. L. H. Kelley.

Typewritten copy of Leach's Old Philadelphia Families—Family of Etting. Presented by Miss Eleanor S. Cohen.

Genealogy of the Englar Family. Descendants of Philip Englar 1736-1817. Presented by Mr. F. Earl Shriner.

Family Records as shown in the Bleakley Bible. Presented by Mrs. William C. Pick.

Family records as shown in the Duvall Bible. Presented by Mr. J. Noble Stockett.

Donaldson Genealogy—connected with Baltimore and Elk Ridge, Md. Presented by John Willcox Donaldson.

Family records as shown in the Denny Bible. Presented by Louis H. Dielman.

The Talbott Family Records (typewritten copy). Presented by Mrs. Ida M. Shirk.

Jelke and Frazier and Allied Families, by L. Effingham DeForest. Presented by Mr. Frazier Jelke.

Our Colonial and Continental Ancestors, by L. Effingham DeForest. Presented by Mr. Louis Wm. Dommerich.

National Society Daughters of American Revolution Lineage Books. Volumes 114-119 (1930).

Records of Cemetery near Yorkshire Corners, Cattaragus Co., New York.

Records of Cemetery on Main Road between Sandusky and Freedom, Cattaragus County, New York. Presented by Mrs. Gertrude A. Barber, through Mrs. Russel Hastings.

Notes on the Southerland, Latham & Allied Families. Register of the ancestors of Imogen Sutherland Voorhees (typewritten copy). Presented by E. K. Voorhees.

A Sons Recollections of His Father, by Wm. W. Mackall. Presented by the author.

Stow Family, by J. C. Stow (typewritten copy). Presented by the author.

Manuscript copies of the town records of Pomfret and Fairfax, Vermont. Presented by Mrs. Gertrude A. Barber.

Encyclopedia of American Biography, Vols. 43 and 44, and 45-48. Presented by the American Historical Society.

Henckle Family News Letter Nos. 1-3; Henckle Family Records Nos. 1-6. Presented by Dr. C. O. Miller, through Miss Kate Curry.

Family record from the Done Bible; Maslin Family chart; Family tree of Mrs. Doris Maslin (E. Herrman) Cohn; Printed noted on the Maslin family. Presented by Mrs. E. Herrman Cohn.

County Court Note Book, Vol. X, no. 1. Presented by Mrs. Ida M. Shirk. Rumsey Smithson's Family Record Book; unpublished record of Harford County, Md. Presented by Mrs. Iola M. E. Smithson.

Magazine of American Genealogy, nos. 15-19. Presented by Miss Elsie Gittings.

Family record from the Worthington Bible, and the Hood Bible. Presented by Miss Sarah Randolph Carter.

Data concerning the descendants of Rev. John Slemmons. Presented by John Slemmons.

Memoirs of Charles E. Hill, Esq., and Joseph Bancroft Hill. Presented by John Philip Hill.

Numerous grave stone inscriptions of Cemeteries of Sullivan, Erie,

Oneida, Wyoming and Ulster Counties, New York. Presented by Mrs. Gertrude A. Barber.

Boon Family Bulletin, Vol. II, no. 6. Presented by Mrs. Ida M. Shirk.

Miscellaneous manuscripts known as the James Carroll and the Maccubin Papers. Presented by Miss Ludlow Carroll Willett.

Family records from the Crosby Bible. Presented by Roberto F. Bevan. Cock—Cox Family (typewritten genealogy). Presented by Mrs. Fred W. Leef.

American Ancestry of Frederic Louis Huidekoper & Reginald Shippen Huidekoper. Presented by Col. Frederick L. Huidekoper.

Early History of the Hollyday Family 1297-1800. Presented by Col. Henry Hollyday.

Purnell Family Tree. Presented by Mrs. Clarendon Gould.

Hall, Collins, Elliott and Tingley Families (typewritten data). Presented by J. C. Stow.

Bratton Bible Records. Presented by Miss Anne Rush Bratton.

Year Book of the American Clan Gregor Society, 1930.

Hopkins Chart. Presented by S. G. Hopkins.

Davenport Chart. Presented by Henry B. Davenport.

The Coles Family of Virginia. Presented by Dr. Stricker Coles.

Epperson and Allied Families. Presented by Mrs. U. S. Epperson.

Daughter of American Colonists Year Book, Vol. 3, 1930.

Munsey-Hopkins Genealogy. Presented by Wm. Lincoln Palmer.

Wathen Family notes. Presented by Miss Alina A. Wathen.

Paul Hoyer Society Genealogical Data. Presented by Charles E. Hoyer.

Family record from the Winder (2 bibles) and Buchanan Bibles. Presented by Pleasants Pennington.

Marriage records of the Dew Family. Presented by Theodore M. Dew.

Lineage Books of the National Society Founders and Patriots of America. Vol. 19 and 20, 1931.

Genealogical data from the collection of the late Harold H. Simms.

Genealogical data on the Cameron, Cambron and Cambern Family. Presented by Leon J. Cambern.

WILLIAM B. MARYE,

Chairman, Committee on Genealogy and Heraldry.

REPORT OF THE COMMITTEE ON THE GALLERY

The Committee reports that during the year a number of students from the Park School, The Maryland State Normal School, and several of the Public Grade Schools have visited the Society to view the various collections.

The following named portraits were loaned to the Municipal

Museum (formerly the Peale Museum which has been restored by the City of Baltimore) for a period of about two months as a special exhibit during the fall:

Mr. and Mrs. John McKim, Oliver H. Perry,
 Maximilian Godefroy, George W. Towson,
 Mrs. Ann Timothy, Stephen Decatur.

The original satin wood cardle of Angelica Peale has been deposited with the Society by Mrs. Florence Read Beaton.

The thanks of the Society were extended to Miss Maria Eaton and Mrs. Charles R. Weld, for the gift of a case containing many rare items, among them being miniatures and old pieces of silver, china and glass. From the same source came two very lovely portraits, one being Major John Middleton Lovell; the other Mary Gould of Boston, painted by Badger.

Among the large number of donations made to the Gallery during the last year we find the following:

Miniature of St. John Faris. Artist Hiram Faris. Presented by Mrs. Miles White.

"Fort McHenry"; two lithographs, one colored and one uncolored; "Fort McHenry," 1861—from a sketch by Corporal E. S. Lloyd; 3rd battalion Rifles, M. V. M. (lithograph); "Union Festival"—Young Men's Christian Association—Maryland Institute, May 24th, 1859. (Print.) Presented by H. Oliver Thompson.

Sword presented to John O'Neill for his valor at Havre de Grace, by Philadelphians in 1813. Also original letter which accompanied the presentation of the sword. Presented by John R. O'Neil.

Miscellaneous photographs of points of interest throughout the City of Baltimore. Presented by Miss Elizabeth Daran.

Wedding apron of Mrs. Philip Thomas (Ann Chew), 1724; work bag of Mrs. Commodore Murray of Philadelphia, 1782. Presented by Mrs. William Woodyear.

Two flags of the Civil War period, property of the late William Lyles Lowry, grandfather of the donor. Presented by Miss Ella Lowry Calwell

Portrait of George Heinrick Repold; portrait of Mrs. George Heinrick (Metta) Repold, painted by John Nagel, 1823; portrait of Frederick Waesche; water color landscape of the Repold Country Estate; miniature of George Repold; miniature of Thomas M. Maund. Bequeathed by the Estate of Miss Margaret E. Maund.

Snuff box of Gunning Bedford. Presented by Miss Elizabeth Grant McIlvain.

Mrs. Robert Gilmor; copy from the original mezzotint after Sir Robert Lawrence. Presented by Louis H. Dielman.

Collection of sabres, Service swords, Dress swords, Army buttons, Coins, and miscellaneous souvenirs. Presented by Pleasants Pennington.

Respectfully submitted,

THOMAS C. CORNER,

*Member of Committee,
in absence of the Chairman.*

REPORT OF THE MEMBERSHIP COMMITTEE

January 1st, 1931. Total Membership.....	1,277
Life Members.....	15
Associate Members.....	168
Active Members.....	1,094
	————— 1,277
1931 Deaths.....	41
1931 Resignations.....	61
1931 Dropped.....	23
	————— 125
	————— 1,152
New Members in 1931:	
Life Members.....	3
Associate Members.....	15
Active Members.....	51
	————— 69
December 31st, 1931. Total Membership.....	1,221
Membership decreased by 56 during year 1931.	

Respectfully submitted,

JAMES D. IGLEHART,

Chairman, Committee on Membership.

March 14th, 1932.—The regular meeting of the Society was held tonight with President Harris in the chair.

Mr. Louis H. Dielman was recognized by the Chair and presented the following motions:

That, the thanks of the Society be extended to Miss Jane James Cook for having bound eight volumes of "Alumni Oxonienses"; and for having framed and glazed an original manuscript, relating to the Principio Company, entitled "Orders and Regulacons for the Better Manageing and carrying on the Company's Affairs, 1727."

The motion was seconded and unanimously carried.
and,

That, the thanks of the Society be extended to Mrs. J. J. Funk of Hagerstown, Maryland, who presented in memory of her husband a gold watch, made in England about 1830-35; the front cover is engraved showing the surrender of Cornwallis at Yorktown; on the gilded dial is engraved the first Capitol at Washington, Distriet of Columbia.

The motion was seconded and unanimously carried.

It was stated that drawings of the different Eagles used by the Society of the Cineinnati at various times, and which drawings had been made by the late W. Carvel Hall, had been deposited with our Society by his son Captain W. Carvel Hall, United States Marine Corps.

The following named persons were elected to membership:

Active:

Mr. Joseph C. Dalton

Mr. William Alfred Thomas

Associate:

Mr. Hal F. Lee

Mr. Philip Hollyday Dew

The following deaths were reported from among our members:

Mr. George Cator, February 25th, 1932.

Mrs. Rebeeca Kilpatrick, February 29th, 1932.

Mr. Henry Childs Kirk, February 28th, 1932.

Mrs. William H. Whitridge, February 25th, 1932.

Mr. Stevenson A. Williams, February 20th, 1932.

Mr. Horace Wells Sellers of Philadelphia, was introduced. He gave a most interesting account of the Restoration of Independence Hall, Philadelphia; and exhibited lantern slides showing plans of the original building, and the various stages of progress of the work of restoration.

QUERIES

Information desired as to parentage of Jesse Lewis, born in Harford Co., Md., July, 1770, and, his wife Rebecca Davidge, married at Annapolis, Md., January 7, 1793.

C. R. Staples,
646 Central Ave.,
Lexington, Ky.

Wish to communicate with descendants of Elizabeth Marshall, who married Samuel Austin, or with descendants of John Stone and Mary Marshall, sister of Elizabeth, daughters of Thomas Marshall, who can give information as to the Marshall or Stone families of Calvert Co., Md., 1763.

Wanted to know parents of Ann Owens, born 1756. Married 1st, Robert Houston, 1787, 2nd, Jessie Griffith, 1799.