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THE CIVIL WAR AND THE MARYLAND COAL TRADE

By KATHERINE A. HARVEY

AT THE outbreak of the Civil War, most of the coal mined in the United States came from the Appalachian fields of Pennsylvania, Maryland and Virginia (including West Virginia.) Of the 15½ million tons reported in the 1860 census, three-fifths was Pennsylvania anthracite. Maryland's output, though small in comparison with Pennsylvania's combined anthracite and bituminous tonnage, was nevertheless significant.[1] A specialized "super-coal," Maryland's product was particularly suited for New England textile mills and for steamship bunkering,

[1] The best source on the ante-bellum coal industry is Howard N. Eavenson, *The First Century and a Quarter of American Coal Industry* (Pittsburgh, 1942).

and it had been used successfully for smelting iron.[2] Thus, with Virginia coal no longer available to the northeastern market, Maryland's contribution became increasingly important.

Maryland's coal mines were located in Allegany County in the extreme western part of the state.[3] They occupied an area some five miles wide and twenty-five miles long in a mountainous area close to the Virginia border.

In 1860 roughly 900 men described themselves as "miners" in response to the census enumerators in Allegany County.[4] The mining population, which was mainly English, Welsh, Scottish, Irish and German, took an active part in the 1860 presidential campaign.[5] At Jackson Mines, near Lonaconing, they organized a Bell and Everett Club at a meeting which featured speeches, patriotic music, and the raising of a 125-foot pole flying the Union party flag.[6] At Pompey Smash[7] the Lincoln Club "raised the first Republican campaign pole ever raised south of Mason and Dixon's line."[8] Late one night the

[2] Much of the capital invested in the Maryland coal region before the war was supplied by eastern or English businessmen with special manufacturing or transportation interests. Among these were Erastus Corning, William H. Aspinwall, August Belmont, Edward Cunard, and the Borden family of Fall River, Massachusetts. See Irene D. Neu, *Erastus Corning, Merchant and Financier 1794-1872* (Ithaca, 1960); Beverly S. Randolph, "History of the Maryland Coal Region," *Maryland Geological Survey*, Vol. V (Baltimore, 1905); Arthur Lovell, *Borden Mining Company, A Brief History* (Frostburg, Md., 1938); Maryland Laws 1853, Ch. 192, providing for the incorporation of the Lonaconing Ocean Coal Mining and Transportation Company; and "The Cumberland Coal Region," *Bankers' Magazine* [New York], IV, 394-99.

[3] At the time of the war, Allegany County included what is now Garrett County.

[4] This figure was derived from a study of the manuscript population census. There is a discrepancy between total numbers of those who reported themselves "miners" in the population census and those listed as employed in the mines under the census of manufactures and mineral industries. Early mining statistics compiled by the Census Bureau were admittedly incomplete. See United States Bureau of the Census, *Special Reports, Mines and Quarries: 1902* (Washington, 1905), pp. 1-6.

[5] Although less than ten percent of Maryland miners in 1860 were native Americans, many of the foreign-born had become naturalized citizens. Their eagerness to obtain citizenship had inspired the Allegany County Know-Nothing party in 1856 to propose a 22-year residence period before citizenship might be granted. Cumberland (Md.) *Telegraph*, March 6, 1856.

[6] Cumberland (Md.) *Civilian & Telegraph*, September 6, 1860.

[7] This town is now called Vale Summit. It received its original name, so the story goes, because it was laid out on the site where a Negro slave named Pompey accidentally wrecked a wagonload of coal which he was hauling to Cumberland from the mines some time in the 1840's. The legend has been preserved by Andrew Roy in his *History of the Coal Miners of the United States* (Columbus, 1907).

[8] Andrew Roy, *Recollections of a Prisoner of War* (Columbus, 1909), p. 149.

pole was cut down by members of an opposing faction (unidentified), but it was re-erected and subsequently defended by Thomas Brown, president of the Lincoln Club. Brown, "a scotchman and a man of nerve," used a shotgun to discourage a second set of vandals, purportedly "a number of Irishmen."[9]

William Cullen Bryant, who visited a coal mine near Mount Savage, Maryland, in the autumn of 1860, reported to readers of his New York *Evening Post* "proof that the approaching election of a President was as much a matter of interest to the people of this remote region as to you in New York. A flag was flying on a prodigiously tall pole near the mouth of the mine. It was a Lincoln and Hamlin flag, they said, and the workmen had chalked the name Lincoln (only a little ill-spelled) on the sides of the trucks."[10]

The election returns of 1860 showed how little sympathy the voters of Allegany County had with the South.[11] Although the state as a whole was carried for Breckinridge by the eastern and southern counties, Allegany County gave only 23 percent of its vote to the southern wing of the Democratic party, dividing the remainder as follows: Bell, 36 percent; Douglas, 29 percent; Lincoln, 12 percent. In the mining districts (Westernport, Frostburg, Lonaconing and Mount Savage) Bell and Douglas ran neck and neck, with 30 percent and 29 percent, respectively, of the votes. Lincoln got a total of 522 votes, 342 of which were from the mining areas. The Cumberland *Civilian & Telegraph*, which had supported the Constitutional Union party, attributed the miners' vote for Lincoln to their interest in the tariff protection promised as part of the Republican platform, saying that it was given "without reference to the Slavery question."[12] Whether the votes had been cast for Bell, Douglas or Lincoln, they were all in a sense votes against secession, and at the outbreak of hostilities the majority of sentiment in Allegany County was pro-Union.

While secessionist riots were rocking Baltimore, "In the Cumberland Coal District . . . the Miners, &c., [were] volunteering in the Pennsylvania [military] Companies, on the side of

[9] Cumberland *Civilian & Telegraph*, October 4, 1860.
[10] New York *Evening Post*, October 22, 1860.
[11] Cumberland *Civilian & Telegraph*, November 15, 1860.
[12] *Ibid.*

the Stars and Stripes and against treason."[13] Furthermore, within two days after receipt of the news that Massachusetts troops had been attacked in Baltimore, a military company was formed in Lonaconing and its services offered to the Secretary of War at Washington.[14] The "Detmold Riflemen" were part of an Allegany County regiment sworn into the Union service late in August 1861.[15] The coal miners' historian, Andrew Roy, himself a former Maryland miner, described a company "raised in the Frostburg mining region, . . . composed of miners, with all of whom I was personally acquainted. They were all stalwart Republicans, when it took nerve to be a Republican in a slave state."[16] The Second Regiment, Potomac Home Brigade Infantry, Maryland Volunteers, was also organized in 1861.[17] Members of the Second Potomac Home Guard took part in 23 skirmishes and battles, serving in Maryland, the Valley of Virginia, and the Gettysburg campaign.[18]

In 1862 Allegany County was requested to furnish 872 men for the army. To meet this quota, there were 1,463 volunteers, many of whom were from the mining area.[19]

Initially the depletion of the mining force was not felt as much as it might have been, for the mine operators were not in a position to offer full employment. The first year of the war brought the Cumberland coal trade close to ruin. In 1860 the various companies had marketed a total of almost 789,000 tons, the largest annual amount recorded up to that time.[20] Because of transportation difficulties, shipments fell to slightly less than 270,000 tons in 1861.[21] The decline dramatically demonstrated the dependence of the coal trade on the Chesa-

[13] Pottsville (Pa.) *Miners' Journal,* April 27, 1861.
[14] J. Thomas Scharf, *History of Western Maryland* (Philadelphia, 1882), II, 1503-04.
[15] Cumberland *Civilian & Telegraph,* August 29, 1861.
[16] Roy, *Recollections, op. cit.,* pp. 148-149.
[17] Scharf, *op. cit.,* II, 1504.
[18] Harold R. Manakee, *Maryland in the Civil War* (Baltimore, 1961), p. 121.
[19] Cumberland (Md.) *Union,* October 18, 1862.
[20] Pottsville *Miners' Journal,* January 11, 1862. The production figures given in the 1860 census of manufactures are for eight establishments only. According to the Census Bureau's *Special Reports, Mines and Quarries: 1902* (pp. 1-6), the "statistics of mines continued to be taken . . . only in a scattering way" until the census of 1870, and the degree of completeness of the statistics of mining was uncertain. E. D. Fite in his *Social and Industrial Conditions in the North During the Civil War* (New York, 1910), f.n. 1, p. 24, calls the *Miners' Journal* figures "the only completely reliable coal statistics of the time."
[21] Cumberland *Civilian & Telegraph,* January 20, 1870.

Bargemen of the C. & O. Canal, *c.* 1920
see p. 448

Confederate War News
see p. 438

peake and Ohio Canal; the amount shipped in 1861 was almost exactly that shipped in 1851, when the trade was just opening on the newly-completed canal.[22] In addition, the coal companies relied on the Baltimore & Ohio Railroad not only as a carrier but also as a consumer of their product, and the railroad line, like the canal, was perilously close to the Virginia border. No matter how much coal was dug, no matter how free from labor disputes the region remained, the fact is that there were long periods when no coal could be moved east because the transportation lines had been cut by Confederate raiders.

Scarcely had hostilities begun than the Pottsville *Miners' Journal* predicted, on April 27, 1861, "In the Cumberland Coal District, the business will of course be greatly checked by the suicidal course of the people of Maryland," referring probably to the panicky destruction of the railroad bridges around Baltimore. And on June 1 this paper announced, "The Cumberland Coal Trade appears to be entirely suspended for the present by Railroad as well as Canal. The dislodgement of the Rebels from Harper's Ferry, which will soon take place, will re-open the trade by Railroad from Cumberland again, but not by Canal. . . ." "Since the stoppage of . . . Cumberland Coal," the newspaper added, "Broad Top [a competing Pennsylvania bituminous coal] . . . is coming into demand to supply its place."

The correspondence files of the Chesapeake and Ohio Canal Company bear witness to the wartime difficulties of this waterway and their effect on coal transportation. On May 6, 1861, the canal agent at Cumberland informed the Company's chief clerk, "Coal can be shiped [sic] in a few days from Cumberland if we have no trouble in Virginia."[23] A week later he wrote: "The Coal Companys [*sic*] are not willing to Boat on account of the troubles along the line by the Virginia people and at Alexandria. I cannot tell what we are to do. The Canal is now in order, yet we will have no Boating as things now stand."[24] At the end of the summer, according to the Pottsville newspaper, "The Chesapeake and Ohio Canal is now navigable to

[22] *Ibid.*

[23] Alfred Spates to W. S. Ringgold, May 6, 1861. Records of the National Park Service: Records of the Chesapeake and Ohio Canal Company (Record Group 79), National Archives (hereinafter referred to as C&O Canal Records), Box 215.

[24] Alfred Spates to W. S. Ringgold, May 13, 1861. C&O Canal Records, Box 215.

Alexandria, but the Virginia rebels amuse themselves by shooting at the boatmen."[25]

In its customary year-end summary of the coal trade, this same source reported for the Cumberland area: "Since the war broke out the trade from this Region has been almost entirely suspended by the destruction of the Baltimore and Ohio Railroad, and also by the obstructions placed in the Canal. Since July last, no Coal has been transported over the Baltimore and Ohio Railroad, and no returns, of course, have been made."[26]

In the face of these difficulties, the Maryland coal industry might well have been expected to cease operations altogether, leaving the market to the Pennsylvania anthracite and semi-bituminous fields which were not plagued by the same transportation problems. One can merely speculate on why the operators did not give up. Possibly the greatest incentive to continued operation was the realization that the demand for coal would increase with the war effort, and that profit would be great once the avenues of trade were reopened. Moreover, since coal mines deteriorate rapidly when not being worked, there was obviously an advantage in keeping them open as long as possible within the bounds of economy. Keeping them open was facilitated by the fact that, so far as ascertainable, there was no labor trouble in the Frostburg or George's Creek mines during 1861. Those miners who had not volunteered for military service apparently were content with their wage of 30 cents a ton.

The Cumberland newspapers published during the war concerned themselves very little with affairs in the mining region, limiting themselves mainly to reporting war news and belaboring Democrats, Copperheads and the like. Fortunately, however, there is available in the records of the Chesapeake and Ohio Canal Company a small body of correspondence from Mr. A. C. Greene, superintendent of the Borden Mining Company and also a director of the canal company. These letters give us some interesting information on the progress of the coal trade, labor conditions at the mines and on the canal, and the frequent interruptions to navigation.

Greene wrote on April 7, 1862: "There are symptoms of a

[25] Pottsville *Miners' Journal,* August 24, 1861.

[26] *Ibid.,* January 11, 1862. It is not clear whether the word "returns" refers to statistical returns or returned empty cars.

Strike among the Boatmen here—and it will not be possible for me to attend the meeting on the 10th inst. All the Coal Companies are willing to pay an advance on previous rates, but the demands of the Boatmen—so far as they make any—viz. 150 @ 175 [$1.50 to $1.75] per ton are altogether inadmissible—we could not compete with the Penna Coals. The Penn. RR Co. has reduced their charges upon Broad Top *30¢* per ton expressly to head off Maryland Coal."[27] It apparently did not occur to Greene that the boatmen deserved extra pay if they were serving as targets for Confederate snipers.

Early in the war the Federal authorities had seized a number of canal boats on the supposition that they would be useful to the military. Greene complained bitterly of the shortage of boats caused by the War Department seizure: "The want of them [boats] is ruin, not only to the Canal Co. but to the poor laborers of this County who have been nearly a year out of work. In the meantime the Penna interests are moving heaven and earth to maintain themselves on the ground they were enabled to occupy by our disasters last summer. The Central RR has already abated 30¢ per ton in its tolls on Broad Top Coal—(the special competition of Cumb.) and we understand are prepared to go even further in order, if possible, to exclude us from market another year—when an attempt to regain it on our part will be almost impossible. The very existence of the Canal is trembling in the balance. The Boats in Govt hands number nearly, if not quite, *one hundred*—and they *cannot possibly* be replaced this season. Neither the Capital nor the courage to undertake it can be found."

"I cannot comprehend," he went on, "why the authorities at Washington continue to hold these Boats—so persistently—when they appear to have absolutely no use for them. If the Boats were actually and indispensably necessary to the Govt we should submit but it does not appear that anything stronger than red tape, or other indifference, keeps them where they are.

"It does seem to me, therefore, on the whole, that if the Board of Pub Works and the Governor [of Maryland] would unite with us in a representation of the facts to Secretary Stanton—that they would be released. To retain them would

[27] A. C. Greene to W. S. Ringgold, April 7, 1862. C&O Canal Records, Box 216.

look as if the Govt itself had joined the Pennsylvania conspirators to crush out and destroy the Maryland Coal trade—at one blow."[28]

However, the canal was open, and that in itself was a cause for thanksgiving. Greene resigned himself to the shortage of boats and wrote, in a letter indicating an upswing of production at the Maryland mines: "Preparations for the resumption of trade on the Canal are now complete on the part of the Coal Co's and I hope and trust, we may yet have a season of large prosperity. The number of Boats has sadly diminished but with *uninterrupted navigation* there are enough to earn as large a revenue, perhaps, as the Canal has ever derived from the Coal trade."[29]

The resumption of trade did not proceed as planned. Spring floods damaged the canal, and we can imagine Greene's state of mind as he told the company's chief clerk, "The concurrence of circumstances against the resumption of Canal Trade this Spring are positively infernal. Not only is the Canal deprived of Revenue—but the trade itself is imperilled by these untoward events. I have great fears that the largest and most important buyers of coal will despair of getting any thing from us this year—and contract with the Broad Top people, who are straining everything to retain their footing in market, acquired last year. I have about *1800* tons afloat on the way to Georgetown—and, I suppose, there is fully 7000 tons in the same situation. I trust every exertion will be made to restore navigation as soon as *any way possible*. Rely upon it—very much depends upon our being able to deliver coal early in May. The Rail Road is also out of the ring owing to the Bridge breaking at Harpers Ferry."[30]

In June 1862 Maryland coal miners' wages were advanced to 40 cents a ton, an increase of 10 cents over the previous rate.[31] The Cumberland and Pottsville newspapers do not report any instance of a strike or even of a request for the raise, nor does Greene mention it in his letters. At this particular time, fate seemed about to favor the Maryland opera-

[28] A. C. Greene to W. S. Ringgold, April 11, 1862, C&O Canal Records, Box 216.
[29] A. C. Greene to W. S. Ringgold, April 18, 1862, C&O Canal Records, Box 216.
[30] A. C. Greene to W. S. Ringgold, April 29, 1862, C&O Canal Records, Box 216.
[31] Frederick E. Saward, *The Coal Trade* [Annual], (New York, 1878), p. 23.

tors. Great floods in June 1862 "stopped the transportation of every Anthracite mine in the United States for a month, and of some— as of the Lehigh region—for three or four months."[32] Greene predicted that "damages to the Penna works may throw upon our coal field an unusual demand," and stressed the fact that it was "of great importance that we should be in condition to meet it." In addition, he said, "The break in the [B&O] Rail Road makes it of the [utmost] importance that the supply of Coal should go down by Canal so that the demand for the article can be supplied—*moderately*—at least."[33]

The canal was still out of commission on June 21, an exasperating state of affairs, since, according to Greene, "The disasters to the Penna coal lines have caused attention to be turned this way, and it is a thousand pities that we are not in condition to meet the demand." However, the railroad was open again, for Greene promised "to be in Washington next week at the meeting of the Board provided Gen Jackson permits the cars to run upon the B&O RR Co."[34]

Lack of communication between canal officers and the coal companies made shipments uncertain. It was impossible, said Greene, to know when boats were going to be available, and in at least one instance ". . . the Coal Companies have maintained their expensive force in idleness expecting the arrival of Boats hourly. The Rail Roads too have had engines and trains on the Road, at large expense doing nothing—but, in the absence of advices, expecting the Boats."[35]

The miners received another increase—this time of five cents a ton—in September 1862.[36] Again there is no mention of this pay raise in available contemporary sources. In fact, it is difficult to understand why an increase should have been offered or granted, as the case may have been. The Cumberland *Civilian & Telegraph* of September 18, 1862, mentions suspension of navigation on the canal and damage done to the railroad, and

[32] C. B. Conant, "Coal Fever. The Price and Prospects of Anthracite Coal." *Merchants' Magazine and Commercial Review,* May 1865, p. 359. This article appears to be the basis for Fite's brief comment on the Civil War coal trade in his *Social and Industrial Conditions in the North, op. cit.*

[33] A. C. Greene to W. S. Ringgold, June 12, 1862, C&O Canal Records, Box 216.

[34] A. C. Greene to W. S. Ringgold, June 21, 1862, C&O Canal Records, Box 216.

[35] A. C. Greene to W. S. Ringgold, August 12, 1862, C&O Canal Records, Box 216.

[36] Saward's *Coal Trade Annual,* 1878, *loc. cit.*

says that large numbers of miners were thrown out of work. The Pottsville *Miners' Journal* of September 27 confirmed and expanded upon the earlier report of damages: "The raid made by the Rebels into Maryland enabled them again to destroy Coal transportation on the Baltimore and Ohio Railroad by the destruction of the bridges at Harper's Ferry and on the Monocacy. They have also destroyed navigation on the Chesapeake and Ohio Canal by damaging the works for a distance of 25 miles. This cuts off the whole Coal Trade from the Cumberland Region again."

In November Greene complained once more, "There is no regularity whatever in our mails beyond this, that they are always three or four days behindhand."[37] The difficulty, under the circumstances, of separating fact from rumor led sometimes to unfortunate results. In Greene's words: "The neglect of the Supts. [of the various divisions of the canal] to advise this terminus of the condition of the Canal has been of very great disadvantage—We have been left to rumor wholly, and in consequence have been unable to form any judgment of the actual condition of things. Last Friday a report reached Cumb that the army had built four bridges across the Canal about Berlin so low as to stop Boats from moving in either direction. The consequence was that Boats which were about to load hauled off again and the news reaching the mines—there was on Monday a general stampede of our miners for Penna. They very naturally concluded that if the army had got hold of the Canal there was an end of it for this season at least. Can we not enforce the Resolution of the Board requiring information to be communicated? Some few Boats are loading today—but none have arrived from below. Proper energy in the maintenance of navigation may yet afford considerable business this season."

However, in December Greene was so busy sending down by canal "all the coal I possibly can," that he was again unable to attend the Board meeting.[38] In their competition for the limited number of boats, the coal companies were paying the boatmen $2.50 per ton,[39] although in April Greene had said that $1.75 a ton was more than the companies could afford.

[37] A. C. Greene to W. S. Ringgold, Nov. 13, 1862, C&O Canal Records, Box 216.
[38] A. C. Greene to W. S. Ringgold, Dec. 2, 1862, C&O Canal Records, Box 216.
[39] Alfred Spates to W. S. Ringgold, Dec. 5, 1862, C&O Canal Records, Box 216.

The Pottsville *Miners' Journal* of January 10, 1863, summarized the Cumberland coal trade for 1862 as follows: "Since the war broke out the trade from this Region has been almost entirely suspended. The Railroad only carried Coal in the months of May, June, July, August and September—and the trade on the Canal was interrupted entirely in the months of May and October, and only partially resumed in the other months. They are however looking forward to brighter prospects for this year." In spite of its handicaps, the Cumberland region shipped about 318,000 tons in 1862, an increase of roughly 48,000 tons over the previous year.[40]

Prospects for 1863 were bright enough to afford the miners another five-cent raise in January.[41] Greene was optimistically expecting that "every Boat on the Canal will be actively employed this season," and was "sure that the high rate of freight lately adopted by the Railroad Co. will stimulate the building of new [boats] to a large extent, provided the condition of the Canal is such as to warrant the expectation of steady navigation."[42] The editor of the Cumberland *Union* reported on June 13 that "In our own county, the demand for laboring men in the various branches of mining and railroad operations, far exceeds the supply, and the workmen are receiving higher rates of pay, we believe, than ever previously realized for such services."

One of the reasons for the increased orders in the Maryland field in 1863 was that the Broad Top mines were worked only nine months of that year. According to the Pottsville *Miners' Journal,* "The [Confederate] raid into Pennsylvania checked transportation for one month, and a miners' strike [in that same state] lasting about two months . . . also suspended shipments for that period."[43] The Cumberland trade increased to more than 748,000 tons,[44] only a little less than the amount shipped in 1860, and 430,000 tons more than was shipped in 1862. It is amazing that this was accomplished despite continuing transportation difficulties. Both canal and railroad were halted for

[40] Cumberland *Civilian & Telegraph,* January 20, 1870.
[41] Saward's *Coal Trade Annual,* 1878, *loc. cit.*
[42] A. C. Greene to W. S. Ringgold, January 13, 1863. C&O Canal Records, Box 217.
[43] Pottsville *Miners' Journal,* January 23, 1864.
[44] Cumberland *Civilian & Telegraph,* January 20, 1870.

more than a month by enemy activity in early July,[45] and in September Greene wrote hotly to the clerk of the canal company, "You cannot have failed to learn that the Canal is again practically closed by the neglect of the Government to afford the Boatmen protection against robbery of their teams by the Virginia guerrillas."[46] Consequently, he continued, "The few Boats which arrive at Cumberland decline to load and tie up their Boats being unwilling and, in fact, unable to risk the loss of, in many cases, everything they have. We all understood that the military authorities promised to secure the navigation, but a large number of Boats have since been disabled by the loss of their teams—and have stopped."

In view of the broken promises, he ventured, "I think it would meet the unanimous approbation of this whole community if Moseby [*sic*] or White or whoever leads these incursions should ride into Washington some fine night and carry off with them to parts unknown Gen Halleck, Sec Stanton, and every body else whose duty it was to prevent these shameful raids—even for their own sakes. If we could only have some heavy rains to raise the river enough to render it unfordable, we might hope to do some business, but our old fashioned drought is upon us—with no prospect of a let up until winter."

In February 1864 the Canal Board notified its superintendent at Cumberland that navigation was to be suspended from February 1 to March 1 so that repairs could be made.[47] However, when the canal was reopened, the canal officer at Cumberland reported: "The canal has been navigable ten days. No Boats been loaded. two or three that was loaded last December has started down. The Boatmen are holding back for an increase on freight. they are haveing trouble to get hands. I found it necessary last month to advance the pay of Laborers, and will have to continue it to obtain old hands . . ." [*sic* throughout].[48]

Shortly thereafter, the Washington (D. C.) *National Republican* published the following under the heading "Dead Lock at the Cumberland Coal Mines":[49] "A gentleman who arrived here to-day from the Cumberland coal mines in Maryland

[45] *Ibid.*, July 2 and August 13, 1863.
[46] A. C. Greene to W. S. Ringgold, Sept. 2, 1863, C&O Canal Records, Box 217.
[47] Canal Board to Lloyd Lowe, Letter Book M, p. 122, C&O Canal Records.
[48] Lloyd Lowe to W. S. Ringgold, March 14, 1864, C&O Canal Records, Box 218.
[49] Washington *National Republican*, March 17, 1864.

states that nearly all the miners and boatmen have struck for higher wages. The company refuse to accede to these demands from the fact that to do so would necessarily carry up the price of coal to such a high rate that there would be comparatively little demand for it, especially when brought in competition with a superior coal selling at about the same price. There is very little coal at the mines now, hence this strike is the more unfortunate. If the miners insist upon their demand for increased wages, it is said that the company will discharge the hands and employ others. In such an event, resistance is threatened, but as some of Gen. Sigel's forces are near at hand, it will not amount to much." This news item was reprinted in the Baltimore *Daily Gazette* and the Baltimore *Sun* on March 19, 1864, both giving the *National Republican* as their source.

Because of the reference to "the company," we assume that this item refers to the employees of only one company, in all probability the Cumberland Coal and Iron Company, which was the principal operator at this time.

However, on March 18 Greene wrote from the Borden Mines, "We shall have a season of great trouble, I fear, in our business. The Boatmen have gone to work at *two dolls freight* 'for the present.' I do not doubt they will make a demand for more, later in the season. The miners are concocting a strike for *25¢* a ton additional! So we go. These demands cannot be granted and I have hardly a hope of avoiding serious suspension of business."[50] Borden miners had not struck by March 23, when Greene described them as "uneasy and restless," and said, "I have no doubt they are fixing for a strike. How it will end I cannot now tell. The prospect is not flattering for the season's business. . . ."[51]

Fincher's Trades Review reported briefly on March 26, 1864: "A strike in the Cumberland Coal mines has been suppressed by military interference. Twenty-five of the disaffected men were sent to Fort Delaware." Wieck cited this statement in his history of the American Miners' Association as evidence that a

[50] A. C. Greene to W. S. Ringgold, March 18, 1864, C&O Canal Records, Box 218.

[51] A. C. Greene to W. S. Ringgold, March 23, 1864, C&O Canal Record, Box 218.

strike did occur in Maryland in 1864 and was so disposed of.[52] However, there is no reference to any such military action in the *Official Records of the War of the Rebellion,* nor has a search of Civil War records at the National Archives revealed any orders for the arrests or any list of civilian prisoners taken in this area at this time. Furthermore, as far as can be determined from a search of the Fort Delaware records in the same depository, no such prisoners were incarcerated there. In addition, the occurrence of the military action seems highly doubtful in the absence of any reference to it in the two Cumberland newspapers, which lost no opportunity to castigate Copperheads or condemn any activity which might have aided the enemy. And lastly, Andrew Roy, who spent a period of convalescence from war injuries at the military hospital in Clarysville, and who knew most of the Frostburg miners personally, makes no mention of either strike or arrest in his *History of the Coal Miners.*

It is reasonable to assume that Fincher's information was faulty and perhaps described some incident in the Pennsylvania anthracite region, where violence and Molly Maguirism were rampant during the war.[53] The Pottsville *Miners' Journal* recorded strike after strike in Pennsylvania from 1861 through 1864. The military were stationed in the anthracite coal region for several months after August 1863, and "Men who have stopped Collieries by threats and violence [were to be] arrested and handed over to the military authorities for trial and punishment."[54] The assumption that Fincher was in error, possibly as regards the location of the arrests, is bolstered by the fact that Major Generals Couch and Sigel visited Pottsville a little before the alleged Cumberland incident to investigate what action they should take "in putting a stop to the lawlessness that prevails in this [anthracite] region."[55]

Whatever the facts of the case at the Maryland mines, by March 24, 1864, the boats were loading and leaving Cumber-

[52] Edward A. Wieck, *The American Miners Association, A Record of the Origin of Coal Miners' Unions in the United States* (New York, 1940), p. 142.

[53] Wayne G. Broehl, Jr., *The Molly Maguires* (Cambridge, 1964), p. 90. Broehl's entire Chapter IV is interesting on the violence in the anthracite region during the war. See also Conant, *op. cit.,* p. 360.

[54] Pottsville *Miners' Journal,* February 13, 1864.

[55] *Ibid.,* February 20, 1864.

land at the rate of fifteen or twenty a day.[56] The war effort drew heavily upon the eastern coal fields. "More coal was demanded by private manufacturers and carriers engaged in making and transporting arms, munitions, and supplies for Government," and the Government itself increased its consumption of coal from 200,000 tons in the first year of the war to a million tons in the fourth year.[57] In April the Maryland miners were given a raise to 60 cents a ton, and in June the rates increased still further to 75 cents, thus making up the 25-cent increase which Greene had said the companies could not afford.

On the subject of what the coal companies could afford, we have one or two pertinent bits of information. The Central Coal Company was organized in 1863 with 20,000 shares of capital stock at $100 a share. In 1864, the first year of operation, this company paid dividends of 3½ percent on the capital stock; in 1865 it paid 5 percent.[58] The Hampshire and Baltimore Coal Company, although able to pay only small dividends during the first three years of the war, reported to its stockholders in 1864:[59] "The prospect of business for the current year is good. The price of anthracite coal being so high will induce an increased consumption of our coal, which now costs considerably less than anthracite in New York and Boston. And the great activity of the engine-shops, ship-yards and rolling mills, supplying the government with iron gunboats, &c., and for whose purposes our coal is the most suitable, also causes an increased demand. In addition, the high rate of exchange excludes, in a great measure, foreign coal from the market. On the other hand, the limited supply, arising from scarcity of labor and transportation facilities, combines with the former in enabling us to sell our produce readily at good prices."[60]

[56] Lloyd Lowe to W. S. Ringgold, March 24, 1864. C&O Canal Records, Box 218.
[57] Conant, *op. cit.*, p. 359.
[58] Maryland Coal Company, *Annual Report of the Board of Directors of the Maryland Coal Company of Allegany County, Maryland* (New York, 1870). p. 8.
[59] Hampshire and Baltimore Coal Company of Virginia, *Report to the Directors* ([n.p.], 1864).
[60] The price of anthracite coal to the consumer advanced nearly 200 percent between 1862 and 1865. Conant, *op. cit.*, p. 350. The Pennsylvania anthracite operators blamed the high price of their coal (large amounts of which were supplied to the government by contract) on labor troubles at the mines. However, William L. Sylvis, president of the Iron Moulders' Labor Union, in a communication printed in *Fincher's Trades' Review*, October 29, 1864, said that rumors of strikes and violence were circulated by the coal companies in order to get military

Still a further indication of the prosperity of coal companies in the Maryland region in 1864 is the fact that the Consolidation Coal Company, chartered in 1860, which had not been organized earlier because of war conditions, chose this year in which to issue $6,000,000 of capital stock.[61]

All things considered, the coal company agents were not inclined to quibble when they met in September 1864 to agree upon joint action ". . . in reference to the demands of the miners and boatmen for an advance upon the old rates. The result of the conference was that the demands of both miners and boatmen were acceded to—the price for mining being fixed at $1 [per ton], and transportation at $3 per ton."[62]

Greene reported at the end of September: ". . . the Rebs are stealing the Horses from the Boats close to Cumb[d]—Two Boats have been robbed within ten miles of Cumb[d] and *last night* a gang of McNeal's [*sic*] men crossed at Black Oak bottom, passed over Will's Mountain into the valley of Georges Creek and swept the Coal mines of their horses. The American Co. lost *sixteen*. In the meantime Gen. Kelly sits in Cumb surrounded by thousands of men, but takes no steps to prevent or punish these maraudings. I wish you could impress upon Stanton the facts and the Consequences resulting from them—the Canal trade is paralyzed by reason of them."[63] This "paralysis", no doubt, accounts in part for the fact that shipments in 1864 were about 90,000 tons less than in 1863.[64]

In spite of their increased labor costs at the mines and on the canal, and in spite of the activities of raiders, "The Coal Com-

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interference and to excuse their high prices. In many cases, Sylvis wrote, the operators themselves closed their mines to keep prices high and then said that their miners were on strike, not locked out as was actually the case. Sylvis, who had just returned from a tour of the mining region, concluded: "And they [the operators] are now engaged in the very Christian work of making the people believe that the miners are on a strike; and just as soon as the supply becomes short, and all danger of a further decline has been removed, they will say to the authorities, the supply of coal is short, our miners are on strike, and are banded together for the purpose of keeping the mines closed, and thus crippling the government. And straightway they will be forced into the mines at the point of the bayonet, to work at whatever price the operators may please to give."

[61] Charles E. Beachley, *History of the Consolidation Coal Company 1864-1934* (New York, 1934), pp. 17-19.

[62] Cumberland (Md.) *Alleganian*, September 21, 1864.

[63] A. C. Greene to W. S. Ringgold, September 29, 1864, C&O Canal Records, Box 218.

[64] Cumberland *Civilian & Telegraph*, January 20, 1870.

panys [*sic*] talk in good Sperits [*sic*] thing[s] look well here."[65] The miners in turn passed on some of their benefits to those less fortunate and donated "one day's digging of coal, free of charge" to help the poor in Baltimore.[66]

An interesting sidelight on the desperate need for coal during the war is a note from the President of the United States to J. W. Garrett, president of the Baltimore & Ohio Railroad. Lincoln wrote on January 10, 1865:[67] "It is said we shall soon all be in the dark here, unless *you can* bring coal to make gas. I suppose you would do this, without my interference, if you could; and I only write you now to say, *it is very important to us;* and not to say that you must *stop* supplying the army to make room to carry coal. Do all you can for us in *both matters.*"

The end of the war shocked the Maryland coal operators almost as much as its beginning. The canal agent at Cumberland informed his superiors late in the Spring of 1865 that "About all the Coal Cos. have stoped Shipping Coale—on account of the high rates of freight mining tools &c &c. The Canal is doing nothing now. No Boats loading all stoped or will in a day or So—Everything must come down to enable the Coal Cos to make further shipments of Coal from here and Compete with other Coales now in the northern market. So Says the Coal men here." [*Sic* throughout.][68]

At least a temporary curtailment of operations was to be expected, since the cessation of hostilities would mean the reduction of choice government contracts for manufactured goods, with an inevitable reflection on the coal trade. With the restoration of normal competition, the various coal regions would look for ways in which to decrease their costs and attract customers. In the Cumberland region the representatives of the several coal companies agreed to suspend operations while they were determining a further course of action.[69] The closing of the mines early in May was attributed to "the rapid and heavy decline for prices for coal in the Eastern cities," and the coal

[65] Alfred Spates to W. S. Ringgold, October 11, 1864. C&O Canal Records, Box 218.

[66] Cumberland *Alleganian,* December 14, 1864.

[67] This letter is in the possession of the Maryland Historical Society.

[68] Alfred Spates to W. S. Ringgold, April 26, 1865. C&O Canal Records, Box 218.

[69] Cumberland *Alleganian,* May 10, 1865; and Cumberland *Civilian & Telegraph,* May 25, 1865.

company agents agreed that "A corresponding reduction in the cost of producing and transporting coal to tidewater is therefore absolutely necessary to the revival of the trade." The essential economizing would involve reductions in freight (including boatmen's charges) and mine labor.

Since September 1864 the Maryland miners had been receiving $1.00 a ton. The Cumberland *Alleganian* of May 17, 1865, announced that the coal companies in conference had decided to reduce this wage to 60 cents a ton. At the same time, they proposed to reduce boatmen's charges from $3 to $2 a ton and to ask for the reduction of tolls on the canal. The Baltimore and Ohio Railroad had already taken $1.50 a ton from its charges on coal.

A week later the mines of the larger companies were still closed. A few of the smaller companies with contracts to fill were still shipping coal. "The miners generally . . . [were] indisposed to accept the rates adopted at the Superintendents' meeting, while the Companies continue[d] to urge their inability to pay higher figures."[70] Even the small amount of mining still being done was stopped when water was drawn out of the canal in order to repair flood damage.[71] The wage issue remained unresolved, the miners holding out for their old rate, while the companies affirmed that they would not operate at all unless the rates were reduced to 60 cents.[72] "The same state of affairs exists in all the mining regions," said the Cumberland *Civilian & Telegraph*, "but we are glad that, so far, we have heard of no acts of lawlessness, as in Pennsylvania and Ohio."[73]

After what amounted to about a month's lock-out, both sides yielded a little and compromised on a mining rate of 75 cents a ton.[74] Unfortunately, transportation difficulties prevented immediate resumption of full-scale production. The B & O's troop-carrying activities temporarily precluded its transportation of coal,[75] and consequently the miners for a brief period were on half-time.[76]

[70] Cumberland *Alleganian*, May 24, 1865; and Cumberland *Civilian & Telegraph*, May 25, 1865.
[71] Cumberland *Alleganian*, May 31, 1865.
[72] *Ibid.*
[73] May 31, 1865.
[74] Cumberland *Civilian & Telegraph*, June 8, 1865.
[75] Cumberland *Alleganian*, June 7, 1865.
[76] *Ibid.*, June 14, 1865.

Although the six largest coal companies complained jointly that ". . . the coal trade is almost prostrate by the suspension of all industries, consequent upon the sudden transition from War to Peace. . . .,"[77] the fact is that never before in the history of the region had so much coal been shipped as in 1865—over 900,000 tons.[78] In these flush times the demand for labor in coal and iron absorbed all available workers and even infringed on the supply of agricultural labor.[79]

When the shipping season approached in 1866, after the usual winter closing of the canal, the coal companies and their miners were again at odds over the price for mining.[80] The companies had agreed among themselves to reduce miners' wages to 50 cents a ton, a cut of 25 cents a ton from the price paid in the second half of 1865, giving as their reason the decrease in the price of coal on the market. The miners, after consultation, refused to work at the reduced rate. Operations were not completely at a standstill, for several of the companies filling existing contracts kept on paying the old rate of 75 cents a ton. However, it was understood that as soon as the contracts were filled, these companies, too, would stop operations unless the miners would work at the lower price.[81] Again the controversy was compromised, this time at 65 cents a ton,[82] a rate which was continued, in spite of company efforts to whittle it down, until early in 1877.[83]

Business resumed briskly, and the editor of the *Civilian & Telegraph* prophesied, ". . . if Congress does not ruin us by a reduction of the tariff on bituminous coal, there will be such an extensive trade during the remainder of the season as has never

[77] Central Coal Co., American Coal Co., Consolidation Coal Co., Borden Mining Co., Hampshire Coal Co., and Cumberland Coal and Iron Co., to President and Directors of the Chesapeake and Ohio Canal Co., June 12, 1865, asking for a reduction in tolls. C&O Canal Records, Box 219.

[78] Cumberland *Alleganian,* January 31, 1866; and Cumberland coal statistics, *Civilian & Telegraph,* January 20, 1870.

[79] Maryland House of Delegates, *Report of Select Committee Appointed to Prepare a Statement in Relation to the Resources of Maryland* (Annapolis, 1865), p. 45.

[80] Cumberland *Alleganian,* April 4, 1866; and Cumberland *Civilian & Telegraph,* April 5, 1866.

[81] Cumberland *Civilian & Telegraph,* April 12, 1866.

[82] Cumberland *Union,* April 28, 1866; and Cumberland *Civilian & Telegraph,* May 3, 1866. The *Alleganian* of May 2, 1866, reported settlement at 60 cents a ton, but this figure does not agree with that given in Saward's *Coal Trade Annual,* 1878, or with the two newspapers cited above.

[83] Saward's *Coal Trade Annual,* 1878, p. 23.

been known in the history of the canal. Some of our companies will ship over a thousand tons per day, ..."[84] The tariff was actually raised, rather than reduced.[85] Lower wages, freights, tolls, and the continuation of tariff protection all combined to save the coal companies from the ruin they had predicted, and made possible the establishment of a new record of over a million tons in shipments.[86] Company incomes were handsome. The Central Coal Company's profits, to quote one example, "were 50 per cent over the year 1865, but the dividends were passed, and the profits reserved to cancel large items for improvements, and in payment of additional and valuable real estate purchased by the Company."[87] This company paid dividends of 7 percent in 1867 and 5 percent in 1868 and 1869.[88]

The region had added tremendously to its mining population during the war and immediate post-war years; in the decade 1860-1870 the number of coal miners more than doubled. Production continued to rise in 1867 and 1868, and in 1869 was materially affected by the "protracted strike in Penna., [when] there was such a scarcity of coal in the general market that large quantities of Cumb. Coal were taken."[89] There is no mention of strikes or even of any controversy between coal-mine management and coal-mine labor in Maryland in the news sources available for the last three years of the decade. Thus with a minimum of post-war readjustment, the Maryland coal industry by 1870 was ready to begin the remarkable expansion which continued well into the twentieth century.

[84] Cumberland *Civilian & Telegraph,* July 4, 1866. The tariff of 1861 had placed an import tax of one dollar a ton on bituminous coal, with the expectation of limiting competition in the market to domestic producers. In 1866 Congress proposed a tariff of $1.50 a ton on anthracite and only 50 cents a ton on bituminous. This proposal, in the eyes of the Maryland coal interests, would "legislate to the ruin of our immense coal regions, and for the benefit of northern manufacturers," since bituminous coal from Nova Scotia could be "imported to the northern cities at far less cost than it can be produced from our coal fields."

[85] *Ibid.,* July 12, 1866. The import tax on soft coal was raised to $1.50 a ton.

[86] *Ibid.,* January 20, 1870.

[87] Maryland Coal Company, Report 1870, *loc. cit.*

[88] *Ibid.* Examples of this sort could be quoted for most post-war industries in the United States. To the surprise of those who had expected an immediate collapse of war-time prosperity, the economy continued to flourish for at least five years immediately following the war. Edward C. Kirkland, *Industry Comes of Age* (New York, 1961), pp. 2-5.

[89] A. C. Greene to Hon. Jas. C. Clark, Sept. 14, 1870, C&O Canal Records, Box 229.

JACKSONIAN DEMOCRACY ON THE CHESAPEAKE: THE POLITICAL INSTITUTIONS

By W. Wayne Smith

As the floodtide of Jacksonian Democracy washed out many antiquated institutions and restructured American politics, conservatives throughout the nation reacted with apprehension and contempt. In Maryland, John Leeds Kerr, an ex-Congressman from the Eastern Shore lamented that "politics is now become a complete trade and what is worse every fellow follows it fool or knave & aspires to the best jobs. This subject once the study of patriots & statesmen, is now conveyed to such hands as to make it disgusting."[1] Kerr's commentary offers a hint to the fundamental changes that were taking place in Maryland's political structure. With the advent of the Age of Jackson, Maryland's political life assumed a new character and the state entered perhaps its most democratic era.

The maturation of politics in this period brought sweeping changes throughout the political system. Political parties became well-defined and supplanted the rule of gentleman-politicians. Rather than treating the voters with condescension, the new breed of politicos solicited the common man's votes with boisterous campaigns. The hilarity of the hustings, the political oratory and the intense competition excited the voters and they turned out to vote in record numbers on election days. The changes may have been "disgusting" to some politicians like Kerr, but they certainly demonstrate that Maryland was in the mainstream of Jacksonian Democracy.

Political power in Maryland at the outset of the age was vested in the legislature which determined public policy and selected the principal state officials. The governor, his advisory council and the U. S. Senators were elected by the General Assembly. Since representation in the state legislature adhered to the concept of a confederacy of counties, the General As-

[1] John Leeds Kerr to n.n., n.d., John Leeds Bozman Papers, Library of Congress.

sembly was severely malapportioned. All counties were equally represented in the eighty-member lower house, the House of Delegates. Each of the nineteen counties annually elected four delegates while Annapolis and Baltimore City each chose two delegates. Thus, Baltimore City and the rapidly growing counties in Maryland's northwest lacked a representation commensurate to their population and influence in the state. Instead, the older sections, the tidewater counties of southern and eastern Maryland, retained control over the state government.

The upper branch of the legislature, the state senate, reinforced the grasp of the conservative tidewater politicians on the government. The body consisted of fifteen members of whom six came from the Eastern Shore and only nine from the remainder of the state. The state senators who held office for five years were chosen indirectly by a specially elected body. The voters chose a forty-member electoral college in September of every fifth year. The electoral college then met to choose the state senators. Hence, the senate was out of the hands of the people and was chosen by politicians. According to a conservative explanation, the authors of the state constitution provided for the indirect election of the state senate because every well-organized government has as its "cardinal object to place the legislature beyond the momentary prejudices and passions, and hasty and short-sighted views, which at times pervade every community."[2]

The eastern and southern counties' supremacy was not restricted to the legislature because they also controlled the executive branch. The legislature on a joint ballot annually elected the governor and the five-man council. Since 1800, only one governor had resided in an area outside the Eastern Shore or southern Maryland. The governor's council, moreover, generally consisted of four representatives of the older counties. That left one seat to be filled by a representative of Baltimore City or the western counties. The members of the council served for one year, while the governor, though elected annually, usually fulfilled the maximum three-year term allowed by the state constitution. Since the governor could not veto any bills, he was almost powerless. His signature was required on all bills passed by the legislature, but that function was regarded as a

[2] John V. L. McMahon, *An Historical View of the Government of Maryland* (Baltimore, 1831), p. 476.

"ministerial power."[3] Though the governor and the council appointed lesser state officials, in the 1820's they were not too numerous and included such positions as judges, registers of the wills, clerks, commissioners of insolvent debts, and inspectors of tobacco and flour.

The political structure was clearly designed to provide for the interests of the Eastern Shore. A tacit agreement existed among Maryland's politicians that the Eastern Shore had the choice of one U. S. Senator. Two-fifths of the state senate came from this section of Maryland and the choice of the governor alternated between the two shores. In addition, the Eastern Shore possessed a separate staff of state officials which included a treasurer for that section.

By the 1830's, the principal issue in state politics concerned a revision in Maryland's constitutional structure. As Baltimore City and the western counties became the economic and population center of the state, they demanded a larger share of the political power. Their insistence intensified after the 1830 federal census revealed again the disproportionate share of representation of the less populous tidewater counties. To placate the voices of reform, the tidewater politicians in the 1835-36 legislative session increased Baltimore's representation from two to four delegates in the lower house.[4] But that was not enough. The reformers persisted and the issue became confused with the party battles of 1836. The result was Maryland's famous "electoral crisis" and the commitment of both parties to constitutional reform.[5] The subsequent legislative session hammered out a reform bill that provided for sweeping changes in the constitution and the state's political structure.

First, the reform bill revamped and reapportioned the legislature. It called for the popular election of a new senate in 1838 and arranged for one-third of the senate to be elected thereafter biennially. The legislators still adhered to the principle of federalism by providing for each county and Baltimore City to

[3] *Ibid.*, p. 439.

[4] Maryland, *Laws, 1835*, Chapter 98.

[5] See Bernard C. Steiner, "The Electoral College for the Senate of Maryland and the Nineteen Van Buren Electors," *American Historical Association Annual Report for 1895*, pp. 129-167, and A. Clark Hagensick, "Revolution or Reform in 1836: Maryland's Preface to the Dorr Rebellion," *Md. Hist. Mag.*, LVII (December, 1962), 346-366.

have equal representation. In the lower house, federalism gave way to a more democratic principle, representation according to population. The reform session reapportioned the House on a temporary basis until the end of the decade. Then, with the 1840 census statistics, and every second census thereafter, representation in the House of Delegates would be determined more accurately. In the new formula Baltimore City was entitled to representation equal to the largest county.

The reform session wielded the scalpel deftly with the executive branch, too. It abolished the governor's council and called for the popular election in 1838 of a new governor. A governor's term was limited to three years and no governor could succeed himself. To prevent any section from dominating the executive branch, the reform bill stipulated that a new governor must be elected alternately from either the eastern, southern or northwestern gubernatorial districts.[6]

The enactment of the 1837 reform bill represented a major step in the democratization of Maryland's political structure. Counties were represented according to their population in the lower house and the people now had a voice in the selection of the senate and the governor. With two minor alterations, the abolition of the Eastern Shore's separate staff of officials and the change to a biennial legislative session, Maryland's constitutional framework remained fixed until the 1850 constitutional convention.

While the democratization of the governmental structure occurred slowly, the organization of political parties was more responsive to the liberal temper of the age. Prior to 1824, politicians combined into a party directory, the caucus, to supervise party activities and nominate the candidates. But, caucus politics fell into disrepute because it appeared incompatible with the rising democratic spirit. Replacing the caucus were a party hierarchy that extended deeper into the grass roots and the convention system to select the party's candidates.

Atop the structure of both parties in Maryland was the state central committee which became the administrative arm of the party. It issued the call for state conventions and the opening of the campaigns, formulated party policy, disseminated party

[6] Maryland, *Laws, 1836,* p. 97.

propaganda, collected and appropriated money, and aided in the distribution of patronage.

Beneath the state committee, the county central committees directed the party at the county level. Frequently, these county leaders served as ex-officio members on the state committee. The local district or ward organization provided the broad base for the pyramidal party structure. These organizations conducted the campaigns on the local level and enjoyed immediate contact with the voters. At the outset of every election the various organizations met in a county convention to nominate candidates for the local and state offices. Or, in the case of a gubernatorial campaign, the county conventions appointed delegates to attend the state convention where the party leaders nominated the candidate.

Electioneering required money, and the parties had to devise ways to raise the necessary funds. Private donation, then as now, was the major source for money. Party leaders could always expect an assessment, especially if a deficit lingered after the campaign. On one occasion John Pendleton Kennedy, a member of the Whig state central committee, had to pay an extra $50 to help pay off the party's debt. He also collected $50 from his father-in-law for the party.[7] Persons holding federal or state offices necessarily donated a portion of their salaries to retain their party in power. On some occasions the party extracted large chunks from the officeholder's salary, "some giving as much as one half their whole earnings."[8] Evidence suggests, moreover, that persons in minor offices, though they might belong to the opposition party, paid "taxes" to the party in power in order to retain their jobs.[9]

As the parties became better organized in the 1840's they devised various techniques for raising money. They collected initiation fees and dues from the specially created campaign clubs to swell the party's coffers and the party presses churned out campaign biographies, speeches and political "textbooks" which sold for nominal prices. In 1844, Samuel Sands, the

[7] MS Journal, November 3, 13, 1848, John Pendleton Kennedy Papers, Peabody Institute. Hereafter cited as JPK MSS.

[8] Hezekiah Niles to Henry Clay, September 17, 1830, Henry Clay Papers, Library of Congress.

[9] Nathaniel F. Williams to Thomas Ewing, April 30, 1841, unbound correspondence, Thomas Ewing Papers, Library of Congress.

Baltimore printer of the *American Whig,* advertised a Whig speech on the tariff for $1 per 100 copies, a biography of Clay, and the "Bugle Blast of '44," a collection of Whig songs.[10]

The parties judiciously distributed their money to aid campaigners where victory might be most rewarding. Whenever a state election seemed decisive for the national party, the local politicians received financial aid from Washington. John Pendleton Kennedy informed a fellow Whig that the Democratic national administration had contributed $1,000 to carry the congressional election in Baltimore.[11] Similarly, the party's treasure filtered down to the county organization from the state central committee. In 1832, the National Republican central committee allowed Harford county $50 to disseminate campaign newspapers.[12] By 1850, the party organization had become more affluent and granted some counties nearly $4,000.[13]

The parties used a portion of their funds for the social services which the politicians of the nineteenth century were expected to supply. Few charity agencies existed to aid the poor and destitute, and the political parties helped to fill the social vacuum. Recognizing that many residents were oblivious of the generalized rhetoric of the campaigns, the party workers solicited the votes with jobs, gifts and money. Hezekiah Niles, in 1830 reported to his friend Henry Clay, that "whiskey flows like water, & money abounds very much for real *bribery* in the presentation of coats, hats, boots, etc. in nearly balanced counties."[14] Rather than donating, the party bosses frequently found jobs for unemployed laborers. The Whigs attributed their loss in 1837 in Baltimore City to such practices in the first and second wards. A Democratic boss, William Frick, who held the position of Customs Collector, instructed a building contractor to hire more men who would vote for the Democrats and release those who were Whigs.[15]

[10] *Baltimore Patriot,* July 17, 1844.

[11] John Pendleton Kennedy to Thomas Duckett, December 26, 1847, Letters, JPK MSS.

[12] Ebenezer L. Finley to James Moores, August 24, 1832, James Moores Papers in the Harford County Historical Collection, Maryland Historical Society.

[13] MS Journal, September 25, 1850, JPK MSS.

[14] Hezekiah Niles to Henry Clay, September 17, 1830, Clay MSS, LC.

[15] William Brown to William H. Watson, February 26, 1841; William H. Watson to William D. Merrick, February 28, 1841, Sub-Officers Applications, Treasury Department, Record Group 56, National Archives.

A necessary adjunct to every political party in the nineteenth century was a partisan press. The newspapers reported the party's activities and policy, and filled their columns with vitriolic attacks on the opposition. Alexis de Tocqueville in his classic observations on American democracy cited the newspapers as one of the two chief weapons by which parties attained power.[16] In the Jackson period politicians fully recognized the power of the press, and if a community lacked a favorable press they pleaded with party editors to send regular issues of the newspapers. "We labor here under the disadvantage of having no press to respond to and refute the many calumnies . . . circulated by the Cecil Gazette," Whigs in Cecil county reported as they requested that issues of the *Log Cabin Advocate* be sent to them.[17] Within a year the Cecil county Whig organization assessed members for funds to support a party journal, *The Cecil Whig*.[18] In Baltimore City, Democratic politicians desired an additional newspaper to counteract the influential Whig press. They suggested that the party organization purchase *The Sun,* a new penny press which had considerable influence among working class readers.[19]

The printers for the party could expect little profit for themselves, and often they incurred large debts. To pay the editors, the parties, once they gained control of the government, doled out public printing jobs to the party press. It was assumed that such contracts would contain sufficient "fat" to make them profitable enough to cover any losses sustained during the previous campaigns—and they usually were. William Ogden Niles, son of the staunch National Republican, Hezekiah Niles, petitioned for a government appointment to enable him to meet the $1,000 indebtedness that he had incurred for his campaign work for the Whigs. Niles wrote that he had spent at least $3,000 for the party in mailing and printing.[20]

The self-acknowledged partisanship of the public press in the

[16] Alexis de Tocqueville, *Democracy in America,* trans. by Henry Reeve (New York: Alfred A. Knopf, 1946), I, 180.

[17] *The Log Cabin Advocate* (Baltimore), June 3, 1840.

[18] George Johnston, *History of Cecil County, Maryland* (Elkton; 1881), pp. 468-469.

[19] Many Democrats to Martin Van Buren, August 19, 1840, Benjamin C. Howard Papers, Maryland Historical Society.

[20] William Ogden Niles to Thomas Ewing, April 28, June 17, 1841, unbound correspondence, Ewing MSS, LC.

nineteenth century tended to distort information while fully exploiting rumors to benefit the party. The observations of James Buckingham, an Englishman visiting Baltimore in the 1830's, certainly confirms the unreliability of the party journals. Buckingham noted that a Democratic paper exaggerated the attendance at a public meeting in Baltimore that was a "manifest failure," whereas the Whig journals suppressed all information about the meeting.[21]

The meetings, rallies, parades and speeches combined to make the campaign a central feature of Maryland's political life. That period of American history lacked the athletic teams, radio and television programs that crowd our leisure time today and the political campaigns offered some respite from the daily humdrum and toil. The campaigns assumed a carnival-like atmosphere with touring candidates addressing citizens at innumerable barbecues and fishfries. During the frequent campaigns which featured that period the parties assumed they were fighting duels to death. Politicians castigated opponents as jackals who intended to undermine the American way of life. This, however, was largely for effect, for frequently their opponents were relatives or close friends. Ebenezer L. Finley, a Baltimore politician, confessed to Tocqueville that in a recent campaign Finley's opponent was one of his best friends. During the canvass, Finley related. "We travelled in the same carriage, ate at the same table, lodged at the same inn, and then appeared as opponents on the same platforms."[22]

In the nineteenth century, the political rally was the prime medium by which the politicians communicated with the voters. Replete with banners, bunting and placards, the party workers opened the rallies by parading through the community to enlist an audience for the party orators. Then the crowd marched to a nearby open field, church, or other hall, where the party workers had decorated a temporary platform with American flags and the party's paraphernalia. John Pendleton Kennedy, one of the most popular Whig orators in Maryland, described an 1848 rally in Hagerstown at which he spoke:

[21] James S. Buckingham, *America, Historical, Statistic, and Descriptive* (London, 1841), II, 448-449.

[22] George Wilson Pierson, *Tocqueville and Beaumont in America* (New York, 1938), p. 502.

> The country people are assembling in town. Drums are beating. A large wagon filled with a military band of music came in with a banner, and on the wagon printed, the Clear Spring band. They belong to a delegation from Clear Spring which arrives with them. At half past eleven we go to a grove about a mile from town on the Williamsport road, where we find a stage erected—seats prepared for auditors, and tables set out covered with bread, mutten, [sic] beef, pork & etc. eats for one or two thousand persons. In the course of half an hour the procession arrives from town. The meeting is organized.

Kennedy estimated that two thousand people attended the rally despite the competition from a popular bishop who was speaking in town and the harvest which kept many farmers away. For the Whigs, the Hagerstown rally proved a success and speeches, some as long as two hours in length, consumed the afternoon and evening.[23]

Serving as a parade marshal or the vice president of a rally brought immediate status to a party worker, but nothing bolstered the ego like being a principal speaker. Ebenezer L. Finley told Tocqueville that he considered "this system of hustings detestable,"[24] but one is inclined to question Finley's sincerity. Another politician probably revealed the truer inclination of the politicians:

> When the currency question or some such *immaterial concern* causes a little Excitement in Political ranks, and we feel inclined to give a little healthy Exertion to the lungs we throw the gauntlet and challenge our adversies to the Battle ground of Debate—and altho they seldom decline the invitation yet their 'Braves' enter the lists with manifest reluctance. For altho they know we use neither the tomahawk nor the scalping knife—yet we play upon them so steady and well directed a fire from our seventy four pounders, that most of them are blown ski [sic] high before the battle is half ended.[25]

During the campaign, politics attracted a good deal of public attention and served as a regular form of recreation. If he lived in Baltimore City, the voter might attend a political rally at a

[23] MS Journal, September 26-27, 1848, JPK MSS.
[24] Pierson, *Tocqueville and Beaumont in America*, p. 502.
[25] Henry R. Warfield to Martin Van Buren, June 2, 1837, Martin Van Buren Papers, Library of Congress.

nearby tavern, where politicians gathered for their ward meetings. The tavern, in fact, provided a most effective political channel to reach the voter. For the poorer class, an evening spent at the neighborhood tap provided the primary entertainment. In the informal atmosphere of the tavern, where men of all ranks quenched their thirst together, political and social discussion could be intertwined easily, and converts won. A tavern owner recognized the profitability of political meetings in his establishment, and welcomed election time. Tocqueville learned that "at the time of the elections . . . some innkeepers announce gatherings of this kind near their taverns, so as to attract a crowd thither."[26] And politics was not confined to the taproom. It also invaded the churches. After drinking with his companions at a political rally during the evenings, the voter frequently heard a partisan preacher on the following Sunday morning. Hezekiah Niles, for example, reported that his wife enjoyed a "Clay" sermon at her church, while a friend heard an "American System" sermon at another church.[27] Moreover, the local civic or social clubs offered the politicians an additional vehicle. The fire companies, for example, in Baltimore, as in most cities, operated as a political organization on the grass roots level.[28]

Naturally, political activity intensified with the approach of election day. Weekly meetings of local organizations became common, and the party workers received specific assignments for election day. The ward leaders appointed committees to distribute circulars, to challenge suspected illegal voters, to hire hacks to transport voters to the polls, and to provide lodging and board for those "unfortunate men who may be found without homes between now and the day of election provided they are *bona fide* voters."[29]

One of the unsavory aspects of elections in a democracy is that politicians utilize people who are not *bona fide* voters. The use of bribed voters is common experience which is probably as old as elections, and many commentators have described the

[26] Pierson, *Tocqueville and Beaumont in America*, p. 503.
[27] Hezekiah Niles to Henry Clay, July 4, 1832, Clay MSS, LC.
[28] Raphael Semmes, *Baltimore as Seen By Visitors, 1783-1860* (Baltimore, 1953), p. 165.
[29] MS Proceedings of the 6th Ward Democratic Association, October 1, 5, 1847, William A. Stewart Papers, Maryland Historical Society.

practice during the Jackson period. In Maryland, as in other states, the "bought voter" was a common feature of political practice. Ebenezer L. Finley informed Tocqueville that he had "seen elections carried through the almshouse poor, whom one of the candidates had brought" with him.[30] One account vividly describes the use of the so-called "floating vote" in the 1844 election in Maryland:

> The amount of money expended by the Locos during the battle is best known to themselves but it must have been tremendous —'The floating vote,' which comprises the loafers, rounders and rowdies, cost them no small sum—In this state there is always a class, an indefinite number of chaps, who lean against lamp posts during the day and knock store-boxes around at night, and who care a fig for neither party, having no knowledge or interest in the principles which divide the more reflecting portion of the people of the country—The Locos have supported these fellows like lords for the last three months—They have fawned upon them, and coaxed them; they have cajoled; and carressed them; and swilled them with whiskey, until they look as slick as any other cattle well cared for. . . .[31]

Party leaders, always chary of the "floating vote," frequently attributed defeat to the opposition's use of bribery. Nathaniel F. Williams, A Whig leader, claimed that the bribing of five hundred voters carried the 1837 Congressional election in Baltimore for the Democrats.[32] The parties did not rely solely upon the "floating vote" within the city but imported voters to swell the ranks. John Pendleton Kennedy predicted in 1848 that "we are destined to have a great *increase of population* about the 7th of November which will tell against us."[33] Four years later, as he traveled to the polls to cast his ballot in the presidential election, Kennedy encountered a trainload of six hundred boisterous and tipsy voters sent from Washington to vote in Baltimore City for the Democratic presidential candidate, Franklin Pierce.[34]

[30] Pierson, *Tocqueville and Beaumont in America*, p. 503.
[31] Mason Parsons to Jesse Parsons, October 25, 1844, Mason Parsons Papers, Duke University.
[32] Nathaniel F. Williams to James Thomas, August 20, 1837, Thomas Family Papers, Hall of Records.
[33] John Pendleton Kennedy to Joseph Saul, October 15, 1848, Letters, JPK MSS.
[34] MS Journal, November 2, 1852, JPK MSS.

The election campaign was somewhat akin to a religious crusade. Its function was to win converts and bolster the faith of the partisans. Like a crusade the political canvass engendered excitement that nearly obliterated rational thought. Instead emotion held sway. The ordinary citizen, convinced of the righteousness of his party, regarded dissent and criticism as sheer blasphemy. In the early nineteenth century, the passions aroused by the intense rivalry of the parties frequently led to violence. Because of the riotous behavior that regularly occurred at election time, Baltimore City acquired the sobriquet of "mob town." The first gubernatorial campaign in Maryland, for example, sparked a rash of riots at the polls in Baltimore. Fear spread throughout the city as the rioting continued late into the night after the polls had closed.[35] *The Whig,* a campaign journal, reported that Democrats "stationed themselves at the corners of streets to waylay and attack with clubs, pistols, and stones, every prominent Whig that passed along." Several persons were injured, at least two by being shot, in the violent aftermath of the election.[36] Two years later, when the Whigs massed for a monstrous rally and parade, the Democrats attacked with rocks and bricks. During the fray one Whig fell dead and later another person was found in the street after having been mauled.[37] Tempers continued to flare up during the presidential campaign of 1840, and Sheppard C. Leakin, the Whig mayor of Baltimore, received pleas for protection from Duff Green, who had begun that year the publication of a new Whig paper, the *Pilot.* After the election, Leakin attempted to quell a riot and was injured.[38] Disorder at the polls became as regular as election day and gun battles were not infrequent.[39]

The excitement engendered by the campaigns was certainly reflected in Maryland's voter turnout. After 1802, any white male, twenty-one years or older, who had resided twelve months in the state and six months in his county, could vote. Maryland's voter participation in the early nineteenth century was extraordinarily high. Yet, the well-organized parties and the

[35] J. Thomas Scharf, *History of Maryland* (Baltimore, 1879), III, 196.
[36] October 4, 1838.
[37] Allan Nevins (ed.), *The Diary of Philip Hone* (New York, 1927), I, 478.
[38] Duff Green to Sheppard C. Leakin, October 17, 1840; transcript of a clipping from the *Pilot* (Baltimore), n.d., Sioussat Papers, Maryland Historical Society.
[39] MS Journal, November 7, 1848, JPK MSS.

ballyhoo of the campaigns in the Jackson period elicited record turnouts. In 1840, Maryland's voter response was approximately 84.6 percent of the eligible males and in 1844, 80.3 percent.[40]

Though the ballot box had replaced *viva voce,* the resident did not enjoy the luxury of a secret ballot. Each party printed its ballots and assigned party workers to distribute the tickets to voters at the polls. When the voter received his ballot, he was undoubtedly under the scrutiny of watchful eyes. Not infrequently, one party would attempt a *coup* by printing copies of the opposition's ballots with its candidates on the ticket.[41] The parties tried to guard against fraudulent tactics by stationing vigilance committees at the polls but they were not always successful. The local organizations also kept a careful record of the political habits of the residents in their districts. A list of the residents in Baltimore's sixth ward, which was kept by the Democrats, indicates some voters as independents, but they were rare.[42] The parties used these collations to round up their voters, to notice laggards, and to distribute the patronage. The Eastern Shoreman, John Leeds Kerr, confided that congressmen frequently used these lists to send the leading men of their districts the usual political propaganda "by way of flattery."[43]

Though some Marylanders like Kerr bemoaned the changing tides in political life, others welcomed the new era. James Carroll of the prominent Carroll family, spoke for the younger generation when he told Alexis de Tocqueville that "whatever may be the inconveniences of 'democracy,' *when it can subsist,* it still produces more good than misery."[44] But, whatever the opinion of the gentlemen, no dam could restrain the democratic tide. Unlike an earlier—and perhaps later—age, democracy in its fullest political extent inundated the shores of the Chesapeake Bay.

[40] Richard P. McCormick, "New Perspectives on Jacksonian Politics," *The American Historical Review,* LXV (January, 1960), 292.

[41] W. W. Levy to Richard C. Holliday, March 19, 1848, Executive Papers, 1848, Hall of Records.

[42] MS Proceedings of the 6th Ward Democratic Association, William A. Stewart MSS, Maryland Historical Society.

[43] John Leeds Kerr to Thomas Corwin, March 24, 1840, Bozman MSS, LC.

[44] Pierson, *Tocqueville and Beaumont in America,* p. 329.

YOUNG MR. CARROLL AND MONTESQUIEU

BY THOMAS O'BRIEN HANLEY*

1.

THE INFLUENCE of Montesquieu on the American Revolutionaries is well established. In Charles Carroll of Carrollton's case, the evidence is clear from his historic "First Citizen" publication of 1773. The Revolutionaries made common appeal to the noted French philosopher where he reasoned about the division and balance of authority; they did so in the context of British imperialism. With some writers *The Spirit of he Laws* was grist for the mill which poured forth criticism of colonial rule, something at hand to be used by debaters arguing from authority. Such spokesmen used the learned author's conclusions without necessarily understanding his reasoning. The case was otherwise with Carroll. How the Revolutionaries understood him is also important in estimating the influence of the author. Of those who read him we find great diversity in their individual social and intellectual backgrounds, into which his reasoning was received. Granted the importance of a revolutionary's role, this personal reception of Montesquieu's assumptions behind the division of power and other crucial considerations, uncovers the special springs at work in thrusting the Revolution on its course.[1]

Charles Carroll was among those who seriously studied the French master. It is significant enough that he did so in the throes of his revolutionary leadership in Maryland. It is remark-

* Since the text of this article went to press, the revision of manuscript serial reference has been concluded at Md. Hist. Soc. The correlation with references used here are as follows: Charles Carroll of Carrollton Papers—MS 203; Pennington Coll. (Carroll-Harper)—MS 1225; Carroll-MacTavish Coll.—MS 220; Acquired by purchase, 1945—MS 216.

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[1] Paul M. Spurlin, *Montesquieu in America: 1760-1801* (Baton Rouge, La., 1940), pp. 111-115.

able that he did this with even greater thoroughness twenty years before the Revolution and at the time when *The Spirit of the Laws* first burned brightly in the European intellectual firmament of the Enlightenment. He was then formally engaged in the study of philosophy and a public defense of his views in Paris at *Collège de Louis le Grand.* The mind of the Revolutionary Carroll as well as the influence of Montesquieu's ideas, particularly as expressed in *The Spirit of the Laws,* can be found in a study these years.[2]

It is important to note that Montesquieu's *Spirit of the Laws,* while highly original was also syncretistic of seventeenth and eighteenth century philosophizing.[3]

It is always difficult in the case of a wide reader like Carroll to fix the exact influence on him of ideas exactly as they are found in an author. Indeed it is never so in such a man. As a result a significant element of intellectual reality is wanting in studies where a revolutionary's references to a given author are made to sum up the nature of the influence. In the present case a greater richness is provided by details known of Carroll's first encounter with Montesquieu, his intellectual environment, distinctive points of view, and other sources of understanding about ideas with which Montesquieu dealt. At the same time, as Montesquieu provides a focus of insight into a political-philosophical phase of the Enlightment, so too does he provide a reference in which center the thoughts that the revolutionary Carroll had during his college days.

It is important to fix the climate of the Enlightenment as Carroll experienced it while residing in Paris. Attempts have been made to see the nucleus of thought which establishes the specific nature of this epoch in the genetics of modern thought. Some would find the figures of the period congenial citizens both of this world and of heaven also; others, exclusively partisans of the first. These others would see the heart of the

[2] Ellen H. Smith, *Charles Carroll of Carrollton* (Cambridge, Mass., 1942), ch. 3, gives an account of these years.

[3] The writer had depended upon Robert Shackleton, *Montesquieu: A Critical Study* (London, 1961) for the better established interpretations. Since the purpose here is to deal with the few central ideas ideas that are best known about Montesquieu, there is no general discussion of various other phases of his thought.

Leonard Krieger, *The Politics of Discretion: Pufendorf and the Acceptance of Natural Law* (Chicago, 1965), pp. 257-66, treats of eighteenth century philosophizing in reference to the seventeenth century.

Enlightenment to be a divine cultus of humanity; a monotheism which left no room for Bolingbroke's Creator standing discreetly apart, nor for Newton's master craftsman occasionally intervening in his work. Diderot avowedly worshiped at the shrine of deified humanity; and the writings of Voltaire, and even of Montesquieu, could lead them there, as a result of certain tenets which they advanced.[4]

The eighteenth century scholars, some of whom instructed Carroll in their lectures or published works, found the same Christian- anti-Christian and theistic-materialist divergencies in Diderot, Voltaire, and Montesquieu. The minds among whom the young Marylander moved, however, did not expect to find a nucleus of one clear movement which would justify categorical classification either as Christian or godless. The mass of society, intellectuals among them, do not shed the broad religio-cultural base of their civilization in the manner that metaphysicians put aside the theories of their predecessors. It was so in the case of Carroll's society. The cleavage of science and culture stemming from the sixteenth century was not as pronounced in France as in Germany. As a result Carroll was acting under a sense of urgency to modify, rather than one of a crisis calling for reversal.[5]

Beneath the evident fact of eclecticism among *philosophes* was a pattern of thought which culminated almost chronologically in disaggregation. It was reflected in Voltaire's career. In 1755 Voltaire was shocked by the Lisbon earthquake and thereafter made a drastic revision of his structure of the universe. The study of nature by others had led them to outright materialism. He had rejected Christianity and now was not far from the single material substance which rendered God superfluous and unrelated to what man knew or could know. Such a brink of materialism was not unforeseen by Montesquieu but there were offsetting understandings. On his philosophical

[4] See Peter Gay, *The Party of Humanity: Essays in the French Enlightenment* (New York, 1964), pp. 188-209, for his interpretation of that topic and his disagreement with Carl Becker. Ernest Cassirer, *The Philosophy of* the *Enlightenment* (Princeton, 1951) treats of the development of ideas of related authors without tracing their diverse influence on individuals like Carroll as is done here.

[5] André Schimberg, *L'Education Marale dans les Colléges de la Compagnie de Jésus en France sous l'Ancien Regime (XVI^e, XVII^e, XVIII^e Siècles)* (Paris, 1913), pp 37-8, 58; Robert R. Palmer, *Catholics and Unbelievers in 18th Century France* (Princeton, N. J., 1939); Christopher Dawson, *Progress and Religion* (Garden City, N. J., 1960), p. 152.

grounds stood large numbers, notably Deists, who had rejected traditional Christian beliefs, but had not become materialists. While Montesquieu was most heterodox in what he said about Christianity, he always professed to be in its fold and died with its blessing. Like Lessing and Pope, frontier questions did not invalidate settled foundations of thought. In the passage beyond disaggregation, therefore, he was found with others who were more articulate of their Christianity while preoccupied with the prevailing curiosity of the age regarding nature and new orientations toward it. The happy adjustment was found where men "could turn with relief to the triumphant commonplaces that flow so easily in Pope's limpid Augustan couplets," as Dawson put it. "And the same ideas reached an even wider public when served up with the salt of Voltaire's wit." This was part of Carroll's intellectual life. Beneath it, however, was the more rigorous philosophical foundation which was put down in his days at Paris. These same views of Carroll's school of thought were understood by Montesquieu even if he did not adhere to all of them in the conflicts of the Enlightenment.[6]

An awareness of all of these tribulations of adjustment was part of Carroll's French environment. Not being *avant garde* however, he did not personally experience disaggregation. Instead he was mostly concerned with modification of the Newtonian and the Christian attitude toward nature. The French Jesuit colleges and their scholars were also, like Montesquieu, attempting to enlarge the seventeenth century concept of natural law, which focused on the immaterial. While Montesquieu tended to see the comprehensiveness of visible nature and its laws, he included the spiritual realm in his *lois generales*. The Jesuit *Journal de Trevoux,* on the other hand, explored Locke and his emphasis on the visible and experimental approaches to knowledge.[7]

Montesquieu was not a rigorous Cartesian, even though he was personally devoted to Malebranche, the eighteenth century disciple of Descartes. His experimental approach in the tradition of Locke led him to link visible law of nature with higher law

[6] Paul Hazard, *European Thought in the Eighteenth Century from Montesquieu to Lessing* (New Haven, Conn., 1954), pp. 285-86; Dawson, *ibid.*
[7] Shackleton, *op. cit.,* pp. 72-3; Palmer, op. cit. pp. 124-5.

and not to divorce the two as eighteenth century Cartesians tended to do. On the other hand he stood off from the scepticism of Hume who found no entrance to a higher law in the visible order. Consequently, while Cartesians were under attack by many Jesuit philosophers, Montesquieu was not strictly of their company. It is therefore understandable that the Jesuit scientist Castel of the *College de Louis le Grand* was an esteemed friend and critic of Montesquieu's choosing.[8]

R. R. Palmer has made it clear in a more general way why the school of thought in which Carroll grew up was not thrown into disarray by the Enlightenment. He notes with considerable scholarship how it retained *rapprochement* with the new learning and was deeply immersed in it. Indeed the attack of the Jansenists upon the Jesuits focused on this very point, their congeniality to the Enlightenment. The Jansenist factor leaves something to be explained in Montesquieu rather than Carroll. The former was educated by some of them who were Sulpicians and after a brief period withdrew his son from the Jesuit *College de Louis le Grand* in favor of a Sulpician institution. Shackleton makes it clear that this is a reflection of the heart and not the mind of Montesquieu.[9]

In short, Charles Carroll was not intimidated from entering upon the Enlightenment any more than was Montesquieu. Retaining the earlier stated essence of natural law he could explore with Montesquieu the subtleties of the law of nature in which social, geographical, and other environmental conditions might affect the law of a people. Finally, *The Spirit of the Laws* was not a gospel to him but a seminal study giving further elaboration, refinement, or even reversal to what his school of knowledge presented him. As a monumental work it summed up for Carroll the insights of the age and related them to western thought and experience as they stemmed from the times of the Roman Republic. His notes and readings from it served him well both as a youth and as a revolutionary.[10]

[8] Shackleton, *op. cit.*, pp. 5, 8, 157, 170; Schimberg, op. cit. pp. 126-28.

[9] Shackleton, *op. cit.*, pp. 157, 170; Palmer, *op. cit.*, pp. 24-52, on Jansenist-Jesuit controversy.

[10] See Carroll's practices with regard to notations on his readings, letter from father, Jan., 1758, Md. Hist. Soc., Balto., Md., Pennington Coll. Unless otherwise indicated all reference to Carroll manuscripts are to those at Md. Hist. Soc.

2.

The humanistic training of Carroll disposed him to receive the fuller meaning of *The Spirit of the Laws.* Having mastered Latin and Greek grammar, he advanced to serious readings of the Classics as literature and thought. The carefully defined regimen of St. Omer's and Rheims Colleges indicated how intent his masters were. Charles revealed the stimulation which he found in this period. What is not generally noted are the great modifications in the *Ratio Studiorum,* which traditionally guided Jesuit colleges in the eighteenth century. Greater scope was given to an understanding of history. Traditionally the events and characters of Classical Times were presented to bring about a deeper understanding of the literature that was read. It is better known today how the grasp of contemporary Classical literature gave maturity to his knowledge of that period of history. A capacity to transcend his own era grew with such training. The vernacular was greatly emphasized and the benefits to Carroll were seen in his English and French letter. His public defense of philosophical views at *College de Louis le Grand* was in French. He was later known among his revolutionary fellows as fluent and highly literate in both languages.[11]

The study of history for application to his own times and particularly to the modern nations was another such trend. Among Carroll's papers from this period are found notes on English history. The dramatic productions of the small colleges which he attended often had as their purpose the exaltation of the nation. Geography and genealogy were among his related studies.[12] One should not overlook the flow of special contemporary history that came from his father's pen in the New World and the experience of colonial policy which it reflected. While Carroll had only the memories of a childhood in America, they still provided a realism to his more mature knowledge in a way not available to the philosophers who theorized about a distant land.

When Montesquieu puts down the Republic of Roman Times as ideal, Carroll grasped its full meaning. The foundation was here laid for the day when he would see that Montesquieu was not correct in believing that this form of government was prac-

[11] Schimberg, *op. cit.,* pp. 165-66, 169.

tically a thing of the past. Virtue, the spirit of the law of the Republic, connoting love of country, gave the spirit with which he entered upon the Revolutionary road to the American Republic. He would be disgruntled with his fellows in building the Republic when they were found ignorant of Classical Times. When he consorted with the revolutionaries, he did so with Montesquieu's idealization of the Roman Republic in mind.[13]

3.

The frame of thought of the young scholar stands out in the Carroll Papers following 1753. It encompasses the fields of philosophical and legal disciplines pursued in France at that time. At the age of seventeen Carroll was ready to pass beyond the memory exercises required of juveniles. "Men of sense," his father told him, "do not content themselves with knowing a thing but make themselves thoroughly acquainted with the reasons on which that knowledge is founded." Such understanding will endure. "When an impression is made by reason it will last as long as you retain your understanding." Young Carroll is at this time concluding his period of literary formation. His father sees fit to send him a mature biography of Cicero to add historical dimension to his son's understanding of the author's original works. This period of growth in mature knowledge opens the way to greater liberty for the young scholar. His tutor and distant kinsman, Anthony Carroll, will not impede him. Now poets will be read with greater insight.[14]

When young Carroll passed from Rheims to *College de Louis le Grand* at Paris, he found the philosophico-legal discussion centering in Newton and Locke. His father urged him to acquire personal copies of their works and went to great pains to help him secure them.[15] A seventeenth century core of natural law was found here, and these authors prepared for the advancement and refinement of ideas which Montesquieu would give

[12] *Ibid.*, p. 165 Charles Carroll of Carrollton Papers contain this history notebook.

[13] See Shackleton, *op. cit.* on the Roman Republic of virtue.

[14] From father, Oct. 10, 1753, Pennington Papers; from father, Sept. 30, 1754, Lee Papers, private collection, as cited in Kate M. Rowland, *Life and Correspondence of Charles Carroll of Carrollton* (2 vols.; New York, 1898), I, 22; I, 24.

[15] From father, Jul. 26, 1756, Lee Papers as cited in Rowland, *op. cit.*, I, 24.

a few years hence. Somewhat in the spirit of what historians call the *Age of Reason,* Carroll viewed the visible world and society as ordered when discerned by reason. The mind knows the objects of sense and perceives their inner law. With Newton he found the Author of the law of nature, who was not degraded by the elevating effect of Salvation as Christians understood it. While Hume questioned Locke's explanation of how the mind truly knows the objects of sense, there is no indication that he was an influence on Carroll in this respect.[16]

This was a time of strenuous preparation for the immediate goal of a public examination; Carroll's father, having been through the same training, advised him to read widely. He commended his son for making a compendium of his readings, a practice his father called the keeping of a common-place book. Encouragement to this practice continued beyond the time when Charles was in France. At considerable expense for the examination itself, as well as for the voyage, Carroll's father arrived at Paris in early August of 1757. His father was impressed with the young scholar, as was an Italian friend of the family.[17]

Undoubtedly the philosophical defense embodied seventeenth century theses on the nature of man, knowledge, and other positions, which were under direct attack by materialists and phenomenologists. The studies of Carroll's college did not ignore such views. He gave evidence that his attention to these variant theories did not consist of accepting superficial formulae for his responses. He noted that he intended to buy personal copies of Voltaire, even though he was aware the author was under excommunication. And it was at this time that he bought *The Spirit of the Laws* by Montesquieu. These writings were treated at least as objections in his philosophical studies and defense; secondary accounts of their ideas were considered; and notes were made in his common-place book from the originals.[18]

Under Montesquieu's influence at this time, Carroll probed

[16] Schimberg, *op. cit.,* p. 165.

[17] From father, Jan. [?], 1758 Pennington Coll.; Anthony Carroll to Charles Carroll's father, Jun. 7, 1757, Charles Carroll of Carrollton Papers, I, 11; hereafter, this collection is abbreviated, "CCCP."

On Rozolino, see Rozolino to Carroll's father, Sept. 25, 1757, CCCP, I, 15. See Journal of Voyage in the Charles Carroll of Carrollton Coll. Acquired by Purchase, 1945 (hereafter abbreviated as 1945 Coll.).

[18] To parents, Nov. 7, 1758, CCCP, I, 37.

into the essence of law. He could not leave the question as he found it in Locke or traditional seventeenth century philosophers. The earlier view regarded law as a relation to the mind with its measure of the order of things. Without contradicting this, Montesquieu passed on to the mind's discernment of the relationship between things themselves as known immediately. This did not destroy the law which was spiritual and not immediately seen in the relationships between visible things. The spiritual and reasoned order embodied Montesquieu's *lois general;* and there was also room for intuition. The visible itself had a relationship that should be a norm of man's regard and knowledgeable use of the universe. It is certain, therefore, that Montesquieu was congenial to the mind of Carroll, who might make exception only in some instances, following the scholars of his own school.[19]

4.

The scholarly training of the future revolutionary is further remarkable by the extensive legal training which followed immediately upon his studies at *College de Louis le Grand.* He did not go immediately to London law schools for all the practical details of legal training. Instead, he took up residence in Bourges where he pursued the study of Roman and French law as well as English Common Law under ideal conditions. His Jesuit tutor, Power, arranged for a Professor Champion to give him private instructions, so that he was not entirely dependent upon the encounters of the large lecture halls. He also had the advantage of private lodging and association with the highest local civil authorities. A mature and serious minded scholar, intent upon creative reflection and study is seen in his career at this point. "I like much better to live as a hermit like Diogenes," he told his father.[20]

Carroll entered upon his legal studies in January of 1758. He once summed up what represented the essential value and distinctive trait of the studies he pursued. "Without a perfect knowledge of history and mankind which latter is acquired from the study of History and personal experience," he said,

[19] See the writer's review comment, *Mid-America,* (1966), 193.
[20] To parents, Nov. 7, 1758 CCCP, I, 37; Power to Carroll's father, Sept. 23, 1757, CCCP, I, 14; to parents, Aug. 10, 1758, CCCP, I, 33.

"there is no possibility of excelling in the law." Both the Paris and Bourges regimens led to his ideal of excellence. What he hoped to avert, he said, was the lawyer whom Cicero called "an insignificant petty fogger, grubbling in the mean but gainful application to all the little arts of chicane."[21]

Future French lawyers studied Roman law as a practical necessity, since provincial practices were entangled in it. Carroll regarded Roman law as a foundation of all civil law in Western Civilization. French law had grown out of it and provided in historical dimension a vision of the vital process of law. Such a study of French and Roman law, therefore, gave him insight into the similar process in England known as Common Law, which itself in Carroll's day had Englishmen peering back into medieval times, seeking to follow its course to the eighteenth century. When he took up the reading of Lord Coke at the completion of his studies at Bourges, he spoke of the need for "a perfect knowledge of history and mankind." In a significant aside in these passages, he paid tribute to his literary formation, which he hoped would rescue him from Coke's sea of jargon, which was also found in other English legal writers.[22]

Jargon notwithstanding, Carroll always revered Coke. Any monumental work merited this response from him after the hard hours expended in mastering the fullness of comprehensive scholarship. While at Bourges, a single such work dominated his days there. Without Jean Doumat (1625-96) French and Roman law as it was dispersed across the nation and its history would have been a forbidding morass. In 1694, however, when Doumat concluded *The Civil Laws in their Natural Order,* he presented the eighteenth century with a sure way through the uncertain terrain, upon which French society stood. It not only brought intelligibility out of the past with its irrational encrustations, but fashioned the statutes that ruled French lives, paying better regard to justice and freedom. Law was here depicted as a means to freedom, rather than a weapon of the despot. The study provided a most desirable complement to the sociological reasoning of Montesquieu's *The Spirit of the Laws.*[23]

[21] To father, Sept. 16, 1760, CCCP, I, 57.
[22] Ibid.; from father, May 15, 1761, CCCP, I, 69.
[23] To parents, Aug. 10, 1758, CCCP, I, 83. On Doumat, see Preserved Smith, *The Enlightenment: 1687-1775* (*The History of Modern Culture,* 2 vols., New York, 1962), II, 497.

In the fall of 1758, Carroll visited Guyenne, the province of Montesquieu, over whose parliament the philosopher had recently presided. Passing northward from Toulouse, Carroll entered the province at Montauban, not far from La Breda, seat of Montesquieu's ancestral estate on the left bank of the Garonne River. He proceeded through the heart of the province to Limoges at the province's northern border. Soon he arrived at Bourges where he began preparations for his final departure from the scene of his French legal studies. He would return to *College de Louis le Grand* for a few months of informal study, awaiting final preparation for his residence in England.[24]

Here then was a very broad philosophical and legal background against which the young Marylander was to reason about political matters. His own personal experience and that of his father led him to elaborate the legal and philosophical implications of such matters as befell the societies with which he was identified. This was not the descriptive approach based on bookish accounts, which is a major ingredient of *The Spirit of the Laws*. Carroll was more personally affected by abridgement of rights as a result of political situations. Yet the broad framework of Montesquieu's political societies of the eighteenth century provided a guide to organizing Carroll's thoughts during his years in Europe. The framework throws light on the distinctive details of his political mind. The formative process of his mentality under prevailing influences also stands revealed.

5.

Since the days of Louis XIV, monarchy was exalted in Europe. Neither Montesquieu nor Carroll was disaffected toward the temper of the times. Instances of tyranny, however, disturbed the Marylander far more in his acceptance of monarchy. For this reason, unlike Montesquieu, he seems never to have put aside the possibility, if not the expectation, of enlarging certain republican forms. Carroll consequently was more intent upon Montesquieu's devices of balance and diffusion of authority, which minimized the possibility of arbitrary rule.

[24] To parents, Nov. 7, 1758, CCCP, I, 37; to father, Jan. 17, 1759, CCCP, I, 38; from father Apr. 16, 1759, Carroll-MacTavish Coll.; to father, Jan. 17, 1759, CCCP, I, 43. On Montesquieu, see Shackleton, *op. cit.*, p. 207.

It is important to reconstruct the Marylander's acceptable frame of monarchy, as well as the experiences and thoughts which dictated it. Carroll expressed candid admiration for the Enlightened Despot, Frederick the Great of Prussia. The skill and expedition with which he defended by force his country's interest against France in the fall of 1758, won his praise. The execution of war was an important test. On this score Carroll's father found the French monarchy superior to England, as he viewed the two in the North American theatre of the Great War for the Empire in 1756. "The French Constitution," he wrote to his son, "is better calculated to carry on a War than Ours; they are moved by only one spring and . . . they move with . . . Dispatch." While he decried the massacre of English troops at Oswego, he questioned the report, because he felt a sense of honor was found in the French. Frenchmen were known to serve their princes with a greater sense of honor than other peoples. Montesquieu had maintained that honor was the true spirit of the laws in a monarchy and it played a more decisive role than a love of country (virtue). The greater the regal power, the greater play there was for paternalism; the greater, too, the requirement of this spirit of honor in the exercise of paternalistic authority. Young Carroll was instructed by his father in the nature and need of honor in the gentleman's private and civic conduct.[25]

Both Carrolls attacked the Monarchy of Portugal. The mischief of a minister or a courtier, which Montesquieu found always at hand in the king's councils, had brought destruction on the Jesuit Order there. Charles found "Carballo Marquis de Pombal having pretty nigh accomplished his ends, to wit, the separation from Rome and overturn of Religion. . . ." His father accused Pombal of contriving charges to set these events in motion. Montesquieu would perhaps have said that here was found a minister dangerously independent of the crown and a parliament. Carroll brought lesser charges against French and English monarchies. In the balance Carroll stood with Montesquieu at this time, convinced of the strengths of monarchy but critically aware of the weaknesses in those which they ob-

[25] To parents, Nov. 7, 1758, CCCP, I, 37; Rozolino to Carroll's father Mar. 3, 1758, CCCP, I, 31; from father Sept. 14, 1756, 1945 Coll., II; from father, Oct. 19, 1753, Pennington Coll.

served. Montesquieu's genius profoundly determined the remedies for these defects against the vital historical development of both law and monarchy. His insights were accomplished by his experience with eighteenth century Europe and a reading of its past. Carroll had these same avenues to Montesquieu's insights, and he leaves no doubt that he now used them.[26]

In his discussion of Portugal, Carroll threw light on an important philosophical question with which he was concerned during his studies at *College de Louis le Grand.* In the seventeenth century, Europe had long discussed the moral means available to those who would oppose arbitrary government, notably monarchical tyranny. The Jesuit philosopher, Mariana, had advocated the legitimacy of execution of such a king under certain conditions. In the school of thought in which Carroll moved, Mariana and related authors were controversial material. In discussing the Portuguese situation, Carroll indicates that he had a somewhat conservative view of this question. The Jesuits in that country, he reported in his letter to his father, had been falsely accused of advocating tyrannicide. Carroll believed that eighteenth century Jesuit writers had circumscribed the *ultima ratio* of tyrannicide with such conditions that the doctrine did not call for the overthrow of the Portuguese monarch. Sufferance of arbitrary monarchical action must be carried quite far, in Carroll's estimation. He leaves no doubt that this was the consensus of the teachers and members of the Order as he had known it. Taking his thought as a whole, he saw a remedy short of tyrannicide, in the courts, parliaments, and advisers of privy councils of monarchy. The monarch in turn was a check on these and traditional law was a foundation for appeal to one against the other of these elements in European monarchies. Some of these features of his thought were brought out in connection with the French monarchy.[27]

"In the course of your Studies," his father said in 1759 at the conclusion of Charles' stay at Bourges, "I doubt not but you will think it necessary to obtain a pretty good insight into the Constitution of France." This meant that in addition to his readings of Doumat and Montesquieu, he would follow con-

[26] To father, Mar. 28, 1761, CCCP, I, 65; from father, Apr. 16, 1759, Carroll-MacTavish Coll.

[27] *Ibid.;* Schimberg, *op. cit.,* pp. 100-14.

temporary functioning of the French Monarchy. Everything that he wrote shows that he had come to such insights. It should be remembered that the first monarchy which he ever knew first hand as a young adult was that of France. He personally dealt with the French government in an attempt to win a grant of land in Lower Louisiana for his father. In this context he viewed it more favorably than he did the British Monarchy, which was threatening Maryland Catholic colonists with a double tax because of their religious affiliation. He therefore regarded the French Monarchy as a refuge. In the framework of Montesquieu's *The Spirit of the Laws,* he saw in the judicial structure, ultimately centering in the *parlements* and particularly *le parlement de Paris,* a protection for personal rights. The reform in codes resulting from Doumat's monumental work provided a similar assurance. His father had favorably commented to his son on the French spirit of honor, the fibre of a sound monarchy. He noted that Spain at this time was about to violate this sense of honor through an alliance with England against France. Don Carlos was thus betraying the nation which had placed his family on the throne.[28]

The events of the next four years, 1759-1763, however, made Charles a harsh critic of the French Constitution. He focused on the reasoning of Montesquieu regarding the laws that should govern a true monarchy. The unfavorable results of his French petition of a land grant in Louisiana may have contributed to his disenchantment with the French Monarchy. The warmest topic of his critical discussion, however, was the French Government's hostility to the Jesuits, culminating in the acts of suppression in 1763.

Young Carroll directed his first attack at the *parlement d'Aix la Chapelle.* The lawlessness of its proceedings brought heavy discrimination against the Order and those who defended or even dealt with it. Monsieur President d'Eguilles of the *parlement* stood with the minority in the twenty-nine to twenty-seven vote against the Jesuits. Carroll had read the President's pamphlet, *contra les arrets and arretes de la compagnie,* and was indignant at what it revealed. No investigation of charges was made by the *parlement.* "The decisions and proceedings of

[28] From father, Apr. 16, 1759, Carroll-MacTavish Coll.

most assemblies," Charles philosophized, "when once Passion or interest prevails, are more tyrannical and oppressive than the positive cruelty of a Lawless Tyrant." What he saw here resembled the description of the Star Chamber in English history. D'Eguilles wrote another pamphlet, *mes doubts sur la mort des Jesuites.* He was soon heavily fined and was finally banished from his province. Carroll himself began to feel a sense of harassment. "Perhaps it would not be safe to dwell upon them," he wrote from Paris of these events, "with that liberty and freedom that satisfies and becomes Englishmen." Montesquieu had noted that despots need not be concerned with the justice of their acts, lest this political form be ineffective. When the Jesuits were expelled by such means, the nature of the French government revealed itself in an alien form.[29]

Carroll surveyed the broader constitutional implications of the *Aix la Chapelle* proceedings. In addition to acts of injustice, violence and precipitancy, the *parlement's* members displayed a contempt for the king's authority. Carroll believed with Montesquieu that there was some check and balance between the king and the *parlement* in the French Constitution. For some time the crown stood above extreme treatment of the Jesuits and had the legitimate authority to prevent it in the provinces.

One specific injustice throughout France was left unchecked by the King. Even in provinces where confiscations of Jesuit property had not been legalized by action of the particular *parlements,* spoliations were taking place. Charles at least hoped that the royal power would be effective in the case of the *parlement de Paris.* At the height of this body's attack on the Order, he reasoned to the ultimate power of the crown in Paris to do this, if needs be, by the army, which the monarch possessed. Full royal power, an the other hand, might as readily be turned against the Order. Carroll believed that the *parlement de Paris* was using legislation against the Order with the power of the

[29] To father, Feb. 5, 1763, CCCP, I, 91; and Jun 14, 1763, CCCP, I, 98. The French government's controversy with the Jesuits was going on during Carroll's residence in France; but in order to have his thoughts on this matter it is necessary to use his fullest references to the whole topic, which are found a few years later at the time of the actual expulsion of the Order. About this time he left England for a visit to France. Carroll's reference to the liberties of England are found in his letter to his father, Oct. 3, 1763 [?], CCCP, I, 102, which may possibly have been written in 1761 before he gave up his residence in France.

crown itself as its ultimate target. Given the Bourbon desire to strengthen its hand against the Papacy, the French Monarchy was only a slender hope as a defender of the Papacy's vanguard, the Jesuit Order. Ultimately this anti-papal goal superseded the desire to hold ground against the *parlement de Paris'* inroads into French civil and religious authority.[30]

Carroll's father had casually remarked to his son that the *parlements* should be investigated in his studies. He felt that the *parlement de Paris* was remote because of its judicial status and was of declining importance—"only Courts of Justice or very little more." Charles now saw that the *parlement* was considerably more. "They have hindered them," Carroll said of its discriminations against the Order, "to print or publish anything in their own Justification, while at the same time libels dayly [sic] appear loading them [the Jesuits] with all the infamy, malice can invent and in some measure authorized by our *parlement's* Judge and party, for their place of sale and distribution is the *sale de Palais.*" In Carroll's mind the *parlement* played the major role in the act of tyranny, but it is today known that the Bourbon monarchies were even more important in the act of suppression of 1763.[31]

Were not the *parlements* the remnants of the ideal republic of Roman times, the familiar model reference of Montesquieu? Carroll was undoubtedly aware that they were, at least in outward form. He made it clear, however, that the inward spirit of the law which created them was dead. It is clear from his discussion that they did not act out of that honor which was essential to the *parlements* as an integral part of the French monarchy. As related to the republican type, the *parlement* was devoid of *virtue* [love of country], in Montesquieu's use of the term. What Carroll said of Portugal's instance of tyranny applies here. Religion was one of Montesquieu's *lois generals,* essential to the good of the people. Expulsion of the Order in Carroll's eyes was a disastrous plague on the religious life of the people; hence it was against the true spirit of law, whether in monarchical or repubican context. In the immediate instance of

[30] To father, Jun. 14, 1763, CCCP, I, 98; Feb. 5, 1763, CCCP, I, 91; Aug. 8, 1763, CCCP, I, 101.

[31] From father, Apr. 16, 1759, Carroll-MacTavish Coll.; to father, Dec. 16, 1761, CCCP, I, 76.

the French expulsion, Carroll raised another consideration, the people's love of liberty. He reflected that the Jesuits were "men of republican principles who will not fail to inspire the youths with a love of liberty." They had done so in his own case.[32]

As these tragic events drew to a close, Carroll gained insights that were his own and not Montesquieu's. It was a great turning point in his affective as well as his intellectual relationship to European political society. "In 20 years time," he wrote to his father, "Loyalty will be no more the characteristic of the French nation." A brief lyrical passage here tells more of doubts and a search for new understandings than of scholarly refinements on republican *virtue.* Strange to say, in the light of the unfavorable turn of events, there was a sanguine hope for an historical resolution of the present conflict. Loyalty will give way to a worthier spirit as a characteristic of the political life of France. "The nobility will be Patriots instead of Courtiers." Those who are now slaves to kings will be "transformed to friends of liberty." It is too much to say that Carroll envisages an end of kings, but they are secondary to the larger consideration of any civil rule. King, nobleman, gentry, peasant, all must move and be moved according to a love of country. Carroll here passed beyond Montesquieu and involved the term *virtue,* or *love of country,* with the liberty of the people. He resurrected the Roman Republican *virtue,* and gave it universal application and validity. He did not feel that it must lead him to overthrow kings, but it might. Carroll's spirit of the laws of the nations has them stand as supports of the people's liberty. Montesquieu's devices for the deployment of authority in a political society served Carroll in his efforts at preventing the removal of these supports.[33]

This lyrical passage which tells of society's transformation into "friends of liberty" marks Carroll as a child of the Enlightenment. Its theme of the upward course of civilization had clearly won his hearing. While this was a call to a secular mission of ameliorating the human social condition, it was not divorced from the Christian gentleman which he found in his copy of Francis de Sales' *Introduction to a Devout Life.* The *verve* of

[32] To father, Mar, 28, 1761, CCCP, I, 65; Aug. 8, 1763, CCCP, I, 101.
[33] To father, Aug. 8, 1763, CCCP, I, 101.

the Enlightenment would lend a special quality to his Christian zeal and acceptance of public responsibility.[34]

6.

Of European governments, Montesquieu found the British constitutional monarchy the closest to his ideal. During his years of philosophical and legal studies, Carroll was a keen observer of England. In common with Montesquieu he reasoned against the French framework. Unlike the philosopher he was an Englishman and unlike most Englishmen he was a colonial. These distinctive relationships to the crown complicated his view of England's Monarchy in a way that the speculative philosopher would not experience. It is for this reason that Carroll more realistically grasped what Montesquieu had idealized.

There is no doubt that his formal studies of history, from earliest days to the time of his departure for England, left a deep impression on him. While visiting Sancerre in 1758, he made the acquaintance of a Scottish lord, who had been exiled in a recent rebellion. Carroll accepted him as a "good, honest man, unhappy 'tis true but worthy of a better fate." Professor Champion was recommended to Carroll by the Duke of Norfolk, to whom the Carroll family was known, and who was of a family long involved in monarchical conflicts. It is not surprising in the face of these and other instances of contact with the Tories of England that he had a great curiosity to see the Pretender who had led the Stuart faction to its latest debacle. On one of his excursions, Carroll sought him out at his retreat near Pouillon. His curiosity was dampened when he learned from officials in the neighborhood that the Prince was drowning his sorrows in drink. As in the case of the Scotch exile, Carroll left no doubt that the Pretender had a claim on his sympathies. Certainly for honor's sake the situation of the rebels was to be

[34] See Schimberg, *op. cit.*, pp. 220-24, for a treatment of Christian formation of the gentleman in the French colleges. He says of such writers as Lebrun and Croiset: "Fidèle à l'éclectisme plein de bon sens de sa Compagnie, le P. Lebrun invoque toutes les autorites, les Philosophes ancien aussi bien que les Pères de l'Église, et il étale à profusion sous les yeuz de ses jeunes lecteurs tous les grands examples sacrés et profanes." (pp. 220-21). While in Europe young Carroll bought a copy of DeSales and *L'Anneé Spirituelle* of Croiset.

deplored, even though Carroll may not have accepted the legitimacy of their cause.[35]

It would not be accurate to reckon Carroll a Tory, let alone a follower of the Stuart theory of monarchy. His clearly stated views on the limitation of all political authority ruled out the latter point. His position as a colonial made the Tory category unreal, since English Tories were not concerned with the Carroll grievances against the crown. Yet he did feel with them that all was not right with the British monarchy and that in the face of it rebellion was not ignoble or dishonorable in itself. Montesquieu had not realistically considered the limitations of the English monarchy which Carroll saw first hand as affecting his own personal fortunes.

Consider the social relationships of the British subject, Charles Carroll, residing at *College de Louis le Grand,* shortly before proceeding to London for the study of English law. He was a fellow of a handful of young men from the Maryland Province, which gave him a shared consciousness of the colonial's view of the English Monarchy. They were often related by blood. They received long letters from their families telling of affairs in the Province. At St. Omer's, Rheims, and Paris they were thrown in with Englishmen from the Isles, who had a common faith which was practiced under legal penalty. The Marylanders were anxious to show their academic competence as equal to their colleagues from England. Their teachers and tutors were from the Isles, but all were Englishmen together in the presence of French lecturers in philosophy in halls which held a vast majority of Frenchmen. They were a doughty minority and the colonials as a part of the lot had their own point of pride, in which their parents and tutors had nurtured them. They were descendants of an embattled Catholic aristocracy in America. Carroll's father by his letters confirmed him in this true spirit of a colonial and a minority. Charles was told that he would not hesitate to hasten there, especially, it was said, "if you should ever know our people." Enough of them came to Europe so that he did know them, notably his father. Young Charles, therefore, never ceased to be a true colonial subject of England, whose

[35] To parents, June 14, 1758, CCCP, I, 32, and Aug. 10, 1758, CCCP, I, 33; to father, Oct. 3, 1763 [?], CCCP, I, 102.

viewpoint threw distinctive light on the nature of the British Constitution.[36]

To a certain extent Carroll had to live the role of colonial subject vicariously in his father. Through him he learned his country's trials of these years in the war with France. In his father's letters, Carroll could find verified the *virtue* or love of country which was the spirit of Montesquieu's idealized Roman Republic. His father's adversary best portrayed this trait in him. "He is a sensible man," Governor Sharpe wrote in 1757, "has read much and is well acquainted with the Constitution and strength of these American colonies." Loyalty in his case was more severely tested than in others who were not the object of religious discrimination. "If he is inclined to give the enemy any intelligence about our American affairs," the Governor continued, "none is more capable, but indeed I do not conceive he has any such intention.[37]

The letters to Charles dramatically confirmed the validity of this view. Somewhat with Montesquieu's reasoning, the elder Carroll attested to the legitimacy of the English claims to North American territory on geographical grounds. He pointed to the natural boundaries of the Appalachian watershed and weighed the legalities of treaties as a basis for English claims to Nova Scotia. In 1756, Carroll's father dreaded colonial lethargy in the face of the imminent French attack. "If the Country knew . . . of this danger," he wrote to Charles, "they would be more alive, nay more in Earnest, in their Defence and We would have less to fear from the Enemy." He provided assistance to one of Braddock's retreating volunteers. A turn of fortunes came. "The War, which at first as a new thing, was terrible to us, is now our interest and desire . . . ; at the same time we see the power of our Mother Country to be such that she awes, invades and terrifies the Coasts of France. . . ." The family friend, Rozolino, spoke of the destiny of Englishmen in the New World, and young Charles saw in his father its current course. In time Charles saw with his father the triumph of England's constitutional monarchy over France in the field of battle. It

[36] To father, Mar. 22, 1750, CCCP, I, 5; Anthony Carroll to Carroll's father, Feb. 26, 1751, CCCP, I, 6; from father, Apr. 16, 1759, Carroll-MacTavish Coll., and Sept. 17, 1750, 1945 Coll., II.

[37] Gov. Sharpe to Wm. Sharpe, Jul. 6, 1757, William H. Browne, et al., eds., *The Archives of Maryland* (68 vols., Baltimore, 1883 ——), XII, 32-3.

need not, after all, stand in military achievement second to the enlightened despotism of Frederick of Prussia or of France, as he once believed.[38]

7.

Charles passed through a period of doubts on another score, however, before the Treaty of Paris concluded the war in 1763. This was the question of the Catholic minority's freedom in the wartime Empire. The English monarchy's check and balance of authority, which included the colonial government's counterweight, among others, was on trial for young Charles. During this period the proposal to remove to French Louisiana was put aside by the Carrolls; and England ultimately stood the test of protecting freedom well enough to keep Charles an English subject until 1776.

At the height of the war the Carrolls made a case against the British Kingdom for its unlawful treatment of the French Acadians. They derived much of their information about the shameless expulsion of these honest folk of Nova Scotia from L'Abbe d'Isle Dieu, Vicar of Louisiana, who resided in France and who corresponded and visited with both Carrolls. Charles' criticism was on firmer ground when his father put down in his letters his first hand observations of the Maryland government's discrimination. The nine-hundred Acadians in Maryland were praised for their industry and morals. They abided faithfully by the oath of loyalty to England. Yet some died in want because they were accepted neither as prisoners nor as subjects. They were not permitted to live with Catholic families. This was the scene in 1756. All of this aggravated the major Carroll controversy with the British Empire. The Acadian matter and the question of a double tax on papists were related to the Louisiana plans, and it would appear that the elder Carroll, at least, regarded escape from the empire as the best way out of the increasing difficulties in the colony. But since these arrangements with France had their own obstacles, which became increasingly more insurmountable, it was therefore understandable that both Carrolls took up with greater vigor an alternative

[38] From father Jul. 26, 1756, Lee Papers, cited in Rowland, *op. cit.*, I, 25-27; to Carroll's father, Sept. 9, 1756, Carroll-MacTavish Papers; from father, Feb. 5, 1759, *Ibid.*; Rozolino to Carroll's father, Jan. 12, 1758, CCCP, I, 24.

which they had never relinquished, protection of the British Constitution.[39]

As early as 1753 the elder Carroll prepared his son for the inherent trials in this recourse. "A continual calm in life," he told him, "is no more to be expected than on the ocean."[40] In the earlier stages of the war, the Lower House of the Maryland Assembly attacked the property of Carroll with its legislation. The Upper House and the governor, in the Whig tradition, honored the sanctity of property by resisting the legislation. But in time the balance broke down and the whole provincial government stood in favor of the tax.[41]

The narrative of *The Spirit of the Laws* usually describes assemblies and courts as brakes on arbitrary authority. Now, however, the elder Carroll appealed to the crown against the provincial assembly, a second scheme of check and balance. Appropriately, he sought the good offices of the Whig merchants in England, his commercial agents Philpot and Perkins.[42] When the elder Carroll ultimately arrived in London in 1757, his maneuver began to have effect, as Governor Sharpe revealed.[43] By the end of 1757, when the French colonizing plan was given up, an appeal to the mother country became crucial. The Carrolls were not sanguine, as is revealed at this time by sales of Carroll land to the value of £2000.[44] Yet Charles encouraged his father to a stout battle with the British Constitution.[45]

No action was taken to apply the double tax as late as 1757, but its removal was not accomplished by Carrolls' friends in England. This latter role was now left to young Charles. His father told him that his survival in Maryland would be unworthy under threat of these laws; and if he did not study English law, he could not deal with this problem. "Your Estate," he wrote,

[39] Carroll's father to l'Abbe d'Isle Dieu, 1758, CCCP, I, 35; from father, Jul. 26, 1756, Lee Papers, cited in Rowland, *op. cit.*, I, 27-8. On the vicar, see John Tracy Ellis, *Catholics in Colonial America* (Baltimore, 1965), pp. 261-64.

[40] From father, Oct. 10, 1753, Pennington Coll.

[41] Ellis, *op. cit.*, pp. 354-59.

[42] From father, Oct. 10, 1753 Pennington Coll.

[43] Sharpe to William Sharpe, Jul. 6, 1757, *Arch. Md.*, XII, 46.

[44] From father Feb. 9, 1759, Carroll-MacTavish Coll. and Jul. 26, 1756, Lee Papers, cited in Rowland, I, 24-5; Sharpe to William Sharpe, Jul. 6, 1757 *Arch. Md.*, XII, 46; from father, Jul. 25, 1758, Pennington to parents, cited in Thomas Field, ed. unpublished Letters of Charles Carroll of Carrollton (New York, 1902), pp. 234-240 Nov. 7, 1758, CCCP, I, 37.

[45] To parents, Nov. 7, 1758, CCCP, I, 37.

"especially as a Roman Cath: stands but a poor chance for a Justice with our Juries in particular."[46] With the optimism and industry of the Enlightenment jurists, Doumat and Montesquieu, so much a part of his own intellectual life by now, young Charles was well disposed to take up the challenge. Inexperienced though he was, he took up the case of the double tax and appealed to legal forces in the mother country against the colonial government.

In 1760 Charles was in the midst of the contest but he was well armed with his books. He studied Hume's history of the Stuarts, the house who had granted Maryland its charter, and he completed his set of that author's history.[47] His father sent him an abridgement of the Acts of the Assembly of Maryland; and within a year he instructed his father on "the Maryland Constitution."[48] As a Roman Senator, he seemed in this controversy to breath the spirit of the Republic, as seen by Montesquieu. "I hate the vile crowd, and keep it at a distance (*odi profanum vulgus, et arceo*)," he said, quoting the classical poet Horace. The governor and upper house must keep the lower house in its place. They had not kept the spirit of the law, as aristocrats should. In a mature literary flair he made this biting comment on the lower house: "Time may perhaps polish and soften their manner; wealth acquired by their own industry may satiate their avarice, and correct or at least moderate that eager longing after other men's property."[49]

Although now only a year in England, Charles keenly observed the broader functioning of the British constitution. His earlier stated sympathies with recent rebels was refined and this suggested the proper line of representing his own grievances. The Scottish Lord Bates, he now commented, was modest and prudent in pleading his case and thus enabled the king to deal kindly with the Scots at a time when disgruntled royal courtiers were seeking plausible grounds for venting their vindictiveness. He rejoiced in another instance, that a nobleman had been brought to justice. "Great men may see by this that the laws are not made only for the poor sort," he said, reminiscent of

[46] From father, Sept. 9, 1761, 1945 Coll., II.
[47] To father, May 16, 1760, CCCP, I, 54 and Mar. 28, 1761, CCCP, I, 65.
[48] To father, Mar. 3, 1761, CCCP, I, 66 and Feb. 13, 1761, CCCP, I, 63.
[49] To father, Sept. 16, 1760, CCCP, I, 57.

Doumat. He recalled the Roman dread of power. "Liberty and safety of individuals," Carroll commented on the Ancients, "could not be too secure from power and its natural ally, injustice." Montesquieu had elaborated the salutary advantage of diffusion of authority, and now Charles Carroll was ready to make use of that condition in England.[50]

In the fall of 1760, he made the decisive move to overthrow the double tax measure, after receiving instructions from his father. He went directly to the Lord Proprietor about the end of January, 1761, as a climax of his efforts. His father urged him to moderation, which Charles had admired in Lord Bates, in representing his case. He conducted himself modestly, but became forceful on occasion without being tedious. Both written and unwritten features of the British Constitution were always substantial supports to English subjects in Charles' position. Here Montesquieu found Britain's superiority. Charles, therefore, focused on what he called the "Maryland Constitution." It was essentially part of the British Constitution, according to his line of reasoning; and he fastened upon a written feature of it, which was the colonial charter. In the particular instance of the tax, the conditions of plantations put down by the proprietor in the first days of colonization assured the principle of an equitable tax on property, which was now being violated by the double tax law. Here, then, was an act against the constitution, a disloyalty to the country. *Virtue,* or the love of country, as the republican spirit of the laws was suppressed. From the standpoint of the colonial aristocracy and the proprietor, honor as the spirit of the laws in any monarchy had also been put aside.[51]

Lord Baltimore favorably received the legal reasoning of Carroll. He confessed that Catholics had shown nothing but loyalty in the war crisis. For his part, he said, he detested those who pursued public matters without a sense of honor. He agreed with young Carroll's satiric attack on those who act from self-interest and base motives in such law-making. At the same time, he attempted to defend his governor and council by giving their explanation of passage of the laws. Catholics had not opposed such laws, Calvert had been told. Charles attacked such an

[50] To father, May 15, 1761, CCCP, I, 69 and May 16, 1760, CCCP, I, 54.
[51] To father, Sept. 16, 1760, CCCP, I, 57 and Feb. 13, 1761, CCCP, I, 63.

explanation as contrary to fact. The government's action, furthermore, was unjust by the constitution norm which he gave, contested or not. The Carroll opposition had been constant from the start both in Maryland and England. The discussion merely brought out the limited means of effective opposition left open to the Carrolls.[52] The two parties thus illustrated the contrasting moods of the republican spirit *vis a vis* the paternalistic; the strengths of *virtue* over those of *honor* as assurances of freedom. In an outcome of compromise on the meaning of the true spirit of English laws, young Carroll won a point of freedom and the tax laws were removed. Charles was not for overthrowing the imperial monarchy, but he was certain what spirit he would demand from it. When the measure of this spirit became so diluted or had entirely passed in the mother country, as he would feel it had in 1776, then his faith in the spirit of the law would resurrect a republic.

The career of Charles Carroll of Carrollton during these years fits well with the broader perspective of the American Revolution. The impressive and comprehensive studies of R. R. Palmer find biographical illustration in Carroll as a figure in an age of democratic revolution. Carroll lends needed clarification of Palmer's descriptive term for the revolution as he wrestles with the ideas of classical republicanism. While Carroll may be somewhat unique in his French residence, doubtless other revolutionaries will reveal involvement with the ideas which came out of France and against the background of that country.[53]

[52] To father, Feb. 13, 1761, CCCP, I, 63. Carroll dealt with the appointment of his uncle in this visit to Calvert and remarks in this connection throw light on the concept of *honor*. See Palmer's earlier volume on this subject, *The Age of the Democratic Revolution: A Political History of Europe and America, 1760-1800* (Princeton, N. J., 1959).

GOVERNOR BLAKISTON NUMBERS THE PEOPLE: OR, BUREAUCRACY CONFOUNDED

By Aubrey C. Land

The questionnaire may have come into its own in the age of the computer, but its history on this side of the Atlantic goes back into the seventeenth century. The old Lords of Trade turned to it when they tried, with indifferent success, to obtain information on the state of the colonies. In April of 1676 the Lords drew up and dispatched a set of thirty queries to all the royal governors in America asking for detailed accounts of laws in force, defense, trade, religion, population and statistics on marriages, births, and deaths.[1] As an instrument for eliciting information the questionnaire fell short of expectations. The governors proved "very neglectful of their duty herein, that for divers years together they had not thought fit to give the least account of themselves by letter or othewise." In brief the Lords got low returns, or none at all, from respondents, an experience well known to makers of questionnaires.

When the Board of Trade was established in 1696 as successor to the old Lords the questionnaire again appeared as a device for getting up-to-date information needed by the new board members. These working members of the Board of Trade entered upon their duties with a vigor new to the ways of bureaucracy at Westminster. They set about the task of finding out in detail the conditions of the American plantations as a first step toward developing policy for overseas dominions. To this end they revised the old questionnaire and held the governors to prompt answers to a long list of queries.

Colonial governors may have resented the new questionnaires but they could not resist as the earlier governors had done by simply delaying. The Board peremptorily demanded replies. Even though governors may not have understood why the Board wanted numbers of taxables, parish divisions, lists of ministers, ships of local registry, and the like, they supplied all these as best they could. Governor Francis Nicholson of Maryland (1694-1699) and his counterpart in Virginia, Sir Edmund Andros, returned answers sufficiently detailed

[1] Ralph P. Bieber, *The Lords of Trade and Plantations, 1675-1696* (Allentown, Pa., 1919) pp. 61-62, 84-88.

to afford a cross-section view of the Chesapeake as it stood at the end of the seventeenth century.[2]

Of all the information gathered by Maryland officials none presented more problems than vital statistics. Nicholson depended on a count of taxables as a kind of index to the total number of inhabitants. Andros did the same. Sheriffs maintained lists of taxables—men above the age of eighteen and all indentured servants and slaves male or female—for use in collecting the county levy. Even these had imperfections that drove Andros to hedge on the exactness of his figures. He took refuge in estimates: Virginia had above 19,000 but not 20,000 taxables, as he put it.[3] Nicholson's figures appeared a little more precise if only because he broke his computation down into small units with a number for each county of Maryland. But the fact was patent: his returns also were limited to taxables.

In 1700 the Board demanded a better account of population. Perhaps the statistics they actually received under the new dispensation would have answered more nearly to the purpose if the Board's secretary had taken pains to explain the object of the population counts. Apparently he left the governors to their own surmises. At any rate the new governor of Maryland, Nathaniel Blakiston (1699-1702), made an effort that astounded the Board and called forth an explanation.

Blakiston's directives and other provincial documents connected with the census have disappeared but the Board of Trade letters permit a conjectural reconstruction of the procedure. Apparently Blakiston commanded the county sheriffs and their subordinate officers, the constables of the hundreds, to prepare exact lists of *all* inhabitants, whatever their age, sex, color, or condition of servitude. Apparently, too, he directed the census takers to include all these data for each individual reported in their lists. The results must have been a genealogist's dream: the names and ages of all 32,258 inhabitants of the province in the year 1700.[4]

In the biblical sense Blakiston had numbered the people. But even this accomplishment had not entirely satisfied him. In a letter covering the lists he told the Board, "I am too sensible they are not

[2] Nicholson to the Board of Trade, 27 March 1697, CO 5: 725 (Library of Congress Transcripts); "State of Maryland, 1697," CO 5:714; Andros to the Board of Trade, 21 June 1697, CO 5: 1309. Andros had preceded Nicholson as governor of Maryland (1694-1696).

[3] Andros to the Board of Trade, 21 June 1697, CO 5: 1309.

[4] Whether Blakiston omitted Baltimore county or whether the oversight occurred in the Board of Trade office is not clear, but this county is missing from the abstract prepared by Board authority, CO 5: 715.

so perfect as they ought to be, but going through so many hands who are the respective Constables and officers &c and they being very illiterate make it almost impracticable to performe with that Exactness your Lordships are pleased to require."[5]

The Board replied by return mail. Its members had viewed the pile of census lists and had decided that the result, however well meant, was beside the mark. Their response to Blakiston prescribed both form and purpose of future reports.[6]

> The Lists of the Inhabitants you have sent us are only too particular and too voluminous. We have no need of the names of every child and every Slave; But only the Totalls in each County; Which we have therefore caused to be abstracted from your Lists, & send you here inclosed a Copy of that Abstract, only for the form's sake, that you may the better Judge what is required, and take care to do it hereafter in the easiest and plainest manner that you can. The main thing is, that We may know the increase or decrease of the People, & more particularly of such as are fit to bear Armes: Unto which you may also add your own observations concerning the numbers & Interest of Quakers & Papists.

The lists themselves? They were so much waste paper, which had a small sale as scrap to paper makers but only nuisance value to an office. The tidier abstract served the Board's purposes and that sheet has survived among the documents relating to Maryland.[7] Obviously the Board discarded the returns, a list by name of every person in the province, and preserved only the tables of results. Doubtless the figures are as accurate as any population count in a colony at the time. Blakiston had spared no pains.

[5] Blakiston to the Board of Trade, 8 April 1701, CO 5: 726.
[6] Board of Trade to Blakiston, 4 September 1701, CO 5: 726.
[7] Abstract, etc., CO 5: 715.

REVIEWS OF RECENT BOOKS

The Overseer: Plantation Management in the Old South. By WILLIAM SCARBOROUGH. Baton Rouge: Louisiana State University Press, 1966. xv, 241. $7.50.

This book is almost, but not quite, a model study of a neglected subject, the overseer, or plantation manager of the antebellum South. As Professor Scarborough notes, the reputation of the overseer in historical literature is not a good one. Frequently, he has been depicted as "a rough individual of humble background and dense ignorance who took delight in abusing the Negroes placed under his care and in thwarting the wishes of his employer." Scarborough argues that this view is distorted, that it rests upon hasty generalization, or reflects the discountable criticism of the planters or of travellers who saw things through the eyes of their hosts. He acknowledges that the overseers of the Lower South were a floating group of incompetent amateurs, but insists that the whole not be judged by them. Anyway, the planters of the cotton belt were themselves to blame, their relative lack of capital resources leading them to hire inept managers at low wages and to subordinate the long-run interests of the plantation to maximized production of the South's great staple.

As for planter prejudice in general, it reflected the low social status of overseers everywhere, a status which in turn derived in part from the widespread social disrepute in which the task of directing slave labor was held, and in part from the fact that the typical overseer was the son of a yeoman farmer and a man of little property. Scarborough maintains that those overseers who were professional managers were more numerous and hence more typical of the whole class than its segment in the Lower South. He believes a better basis for assessing their role in the commercial agriculture of the South can be obtained by distinguishing between responsibilities that varied from region to region and from one plantation to the next, the later depending in particular upon the size of the plantation and upon whether or not its proprietor was an absentee owner.

As these considerations suggest, Professor Scarborough has not been content to present a merely generalized portrait of his subject. To obtain a clear view of the many-faceted overseer he has analyzed more than seventy collections of plantation manuscripts and, in addition, the manuscript census returns of sample counties in Virginia, North Carolina, South Carolina, Georgia, Louisiana,

and Mississippi. It is true that he takes a merely majoritarian approach in his general conclusion that "within the limitations imposed by their background and by the vast responsibilities with which they were burdened, the majority of southern overseers performed their duties with commendable energy, efficiency, and competence." Nevertheless, Scarborough is at pains to display regional variations in his portrait of the overseer, variations that were to be found in the tobacco and grain area of Virginia and North Carolina, the rice coast of South Carolina and Georgia, the Louisiana sugar parishes, and the cotton belt of the Lower South. It is these differentiated views that make this careful study a valuable one. I regret only that Scarborough did not seek to correlate criticism of the overseer with variations in plantation size and regional conditions. Had he done so, we might be able to see more clearly the extent to which higher degrees of responsibility in the more demanding positions succeeded in moderating the disesteem that arose from inferior social position.

STUART BRUCHEY

Columbia University

The English on the Delaware, 1610-1682. By C. A. WESLAGER. New Brunswick, N. J.: Rutgers University Press, 1967. xiii. 303. $7.50.

Weslager's eleventh and latest book is more comprehensive than its title suggests. It is good regional history, and the broader context is always in view. Unavoidably the author writes much about the Dutch and the Swedes; but the English, whose role on the Delaware has never been treated discretely, hold the spotlight. The buffer zone created by James I in his grant to the Virginia Company, including the entire Delaware drainage system, is shown to have helped shape the colonizing efforts of Sir Edmund Plowden, the Calverts, the Duke of York, and the Puritans of New Haven. Among the various English groups and individuals who attempted trade or settlement, none was more tenacious than the Delaware Company of New Haven, whose story is told here more fully and with greater continuity than ever before.

There are many ironic and even whimsical touches in these pages. Samuel Argall, who named Delaware Bay, and his superior for whom it was named, took no part in settling and developing the territory of the Bay and River. In fact neither of them knew that the River even existed. The author enjoys several wry jabs at the timidity and even cartographic backwardness of the English especi-

ally from 1610 until 1632. Once they obtained full control of the region in 1664, the English quarreled ever more intensely among themselves: Marylanders, Quakers, agents of the Duke of York, and Puritans. There was quite a scramble.

Readers of the *Magazine* will be especially attracted to chapters 6, 11, and part of 13 and 14 wherein the Calverts' struggle with William Penn is treated sympathetically. Weslager is also persuasive in hypothesizing that Lord Baltimore's sudden and vigorous interest in the Delaware in 1659-60 came as a direct result of Sir Edmund Plowden's manifest failure in colonizing New Albion.

Altogether this authoritative book makes a significant contribution. The author has read and reread the sources critically and astutely; many revisionist insights result. The nine appendices are well chosen documents, several printed for the first time. I only regret that so much of the volume is taken up by essentially traditional diplomatic history, while so little space is given to colonization as a social process. Otherwise, except for a few spots where the chronology becomes a bit unclear, this is an admirable volume.

Cornell University MICHAEL G. KAMMEN

Pennsylvania Politics, 1872-1877: A Study in Political Leadership. By FRANK B. EVANS, Harrisburg, Pennsylvania, The Pennsylvania Historical and Museum Commission, 1966. vii. 360. $5.00.

The political history of the Gilded Age, long neglected and long regarded as an insignificant period in American history, has in recent years been receiving an increasing amount of attention and emphasis. This is especially the case in the number of regional or state studies of politics that have appeared in the last few years. For the most part they have been of high quality and have added greatly to our understanding of the political life of the nation in these years. This study is also a high quality piece of historical research.

Dr. Frank B. Evans, former Pennsylvania State Archivist and now on the staff of the National Archives, has written a first class study of Pennsylvania politics from the Liberal Republican Movement in 1872 through the disputed presidential election of 1876. His book is the sixth in a series of studies of important periods in Pennsylvania political history published by the Pennsylvania Historical and Museum Commission. Evans has thoroughly researched his subject and has based it on a wide variety of manuscripts, public documents, newspapers and periodicals, and diaries, memoirs, and the

like, and has also used the standard and pertinent secondary literature for the period. None of any importance seems to have escaped him. Because Pennsylvania politics in this period played such a significant role in our national political life, Evans' study is of great importance and contributes much to a better understanding of the politics of both the Keystone state and the Grant administration.

Pennsylvania had by 1877 become a bulwark of Republicanism and remained so during the last part of the nineteenth century. Evans explains in detail why Republican politicians, personified by Simon Cameron, retained and strengthened their dominance in the government of Pennsylvania, and why the party had such a firm hold on a majority, small as it was (never more than 51.6 per cent) of the voters. While Cameron's great personal political power kept local politicians in line, and leadership played an important part in Republican success, Evans shows it was also necessary to have an efficient party organization, a unifying political program, and a remarkable degree of party loyalty and party regularity. For example, the importance of two great issues kept Republican voters loyal to their party—its defense of the Union and its support for protective tariffs. The only significant opposition to the Cameron machine was the writing and adoption of the Pennsylvania Constitution of 1874. Of equal importance in the Republican success was the political failure of the Democratic party. Despite its continued voting strength the Democratic party failed to find a convincing issue and suffered from the post-Civil War suspicion that it was soft on the South. Evans contends that the Democratic party "lacking a positive program and an effective leadership could not perform even the function of a responsible opposition party, let alone regain the confidence of the electorate in its capacity to govern the Commonwealth" (p. 327).

University of Notre Dame VINCENT P. DE SANTIS

The Academic Mind and Reform: The Influence of Richard T. Ely in American Life. By BENJAMIN G. RADER. [Lexington:] University of Kentucky Press. 1966. vi, 276. $7.50.

According to Dr. Rader, Richard E. Ely, Professor of political economy at Johns Hopkins and the University of Wisconsin in the late 19th and early 20th centuries, made an essential contribution to modern reform ideology by repudiating the *laissez faire* doctrine that self-interest, operating without restraint from the state and in accordance with immutable economic laws, would produce social progress. Ely taught that there were no natural economic laws, that

unbridled individualism was socially destructive, and that progress depended on bringing political power to bear on social problems through the agency of the state. Rader gives a lucid account of Ely's role in developing this view, but is less incisive in dealing with Ely's other role—as a reform activist. Sympathetic with labor, Ely sought improved conditions for workingmen and advocated urban reforms, especially tax reform and municipal ownership of natural monopolies. Yet Rader does not seem quite sure how to evaluate these efforts. Though observing that Ely's ideas did not threaten interest groups, he stresses Ely's quest for a "golden mean" between socialism and capitalism, implying—incorrectly I think—that Ely sought a fundamental change in the existing system. Rader says Ely's message was class warfare, but by seeking to prevent strikes and urging reconciliation Ely not merely failed to confront the established order, as Rader notes, but actually buttressed it by preaching the same thing that laissez faire conservatives did—class harmony. Rader's theory about intellectual reformers is that their interest in needed changes benefiting the lower classes conflicted with their desire for professional status. Thus when Ely's academic reputation seemed threatened by his pro-labor activity, he retreated from reform. It is the essential conservatism of Ely's active reform years, before 1894, that Rader might have brought out more clearly in this able and interesting study of one of the founders of modern liberalism.

University of Maryland HERMAN BELTZ

Colonial South Carolina, A Political History, 1663-1763. By M. EUGENE SIRMANS. Chapel Hill: The University of North Carolina Press, 1966. xiii, 394. Bibliographical essay, index. $10.00.

Colonial South Carolina is the product of the most thorough study that has yet been made of the public documents of the proprietary and royal periods of South Carolina's history. The journals of the assembly, of the upper house, and of the council, the laws enacted, the correspondence between the officials in Charleston and those in London have been exhaustively consulted. The strength of the book, therefore, is in its solid research.

Sirmans has pushed aside the traditional two-fold division of South Carolina's colonial period and has established a valid three-fold division (1670-1712, 1712-1743, and 1743-1763) based upon the dominance of key issues. In the first period the key issue was religion with the Barbadian settlers at Goose Creek, who were Angli-

cans, vying with the dissenters. This problem was settled by the establishment of the Anglican Church in 1706 and the acceptance of that establishment by the dissenters by 1712. In the second period the issue was paper money with merchants opposing and the planters favoring the issuance of such. A solution was worked out in the 1730's by moderate leadership willing to endorse a fixed amount of paper money. In the third period the demands of the assembly itself raised the controversies.

For Sirmans the important dividing line was 1743, the year in which Governor James Glen arrived to take over the government of the colony. Prior to that time the Carolinians had broken up into factions over local issues; but by 1743 Governor Robert Johnson and Lieutenant-Governor William Bull had healed these breaches. By 1743 the problems of expansion had also been brought to an end with Oglethorpe's mastery of the Georgia-Spanish frontier. After that date harmony reigned among the merchants and planters, who henceforth joined to establish their own status within the empire.

As this is political history, there is an attempt to identify the members of each faction, but it is almost impossible to categorize or to establish any continuity of groups from one period to the next. The difficulty is caused by the absence of personal correspondence. Motives are almost impossible to ascertain except of the well-known religious and economic variety. Since the author is unable to fathom motives, he leans upon the theories of the 'neo-whig' school. In the third portion of the book where this is true, there is a discrepancy between theme and facts. What is needed at this point is a social and cultural study of the province which is attempted in the chapter, "The Colony at Midcentury," but this is where the book breaks down.

Principally, Sirmans ignores the fact that Charleston was governed by commissions. The assembly did delegate its authority (pp. 244, 250). There was an annual election held every Easter Monday in Charleston in which wardens, vestrymen, firemasters, commissioners of the streets and of the workhouse and markets, packers, and woodmeasurers were elected. Instead of a few artisans in Charleston (p. 288), the list of these commissioners prove that there were many. Although the province may have been predominantly Anglican (p. 233), there is doubt that the city was. In 1740 only 45% of the people in the province were Anglicans, and in the city the Congregationalists, Presbyterians, Baptists, and Quakers were strong. The references in the letters of Henry Laurens (1755-1756) to the war in the north would refute the statement (p. 295) that the people of South Carolina acted as if the war did not exist.

The society was more diversified, less Anglican, and more cosmopolitan than Sirmans indicates.

What does emerge from Sirmans book is that by 1743 there was a self-conscious aristocracy forming, composed of the planters, merchants, and lawyers who in time (after 1763) would resent any attempt of the government in London to disrupt their newly won harmony. But what the Namier-like connections in the colony were must still be worked out.

One of the virtues of this very good book is the "Bibliographical Essay" which brings the student up-to-date on historical literature concerning South Carolina. Three additions might now be made to Sirmans's list. Charles Lee and Ruth Green have published in the *South Carolina Historical Magazine* (October 1966 to July 1967) complete guides to the journals of the assembly, of the upper house, and of the council; the judgment rolls of the court of common pleas in the South Carolina Archives have been completely indexed permitting easy use by the social as well as the legal historians; and Robert Ackerman's doctoral dissertation (University of South Carolina, 1965) provides a history of South Carolina land policies.

University of South Carolina GEORGE C. ROGERS, JR.

The Eleventh Pillar: New York State and The Federal Constitution. LINDA GRANT DE PAUW. Ithaca: Cornell University Press, 1966, xvi, 328. $6.50.

Winner of the 1964 Beveridge Award of the American Historical Association, this able study endeavors (with considerable success) to offer a satisfactory answer to a question which has long bothered United States historians. How can one account for the unconditional ratification of the federal Constitution by New York in view of the state's solid Antifederalism? New York was the last state to ratify the Constitution before the new government went into operation, and in no state was ratification carried by a more narrow margin. Antifederalists cast the vast majority of the ballots and elected two-thirds of the delegates to the ratifying convention. Yet, in the final showdown, the more moderate of these agreed to accept the Constitution without amendments.

No historian has attempted so comprehensive a study of New York's ratification of the Constitution, and only the works of E. Wilder Spaulding, Clarence E. Miner and Staughton Lynd devote extended attention to the problem. The volume under review certainly surpasses Miner's 1921 work and Spaulding's 1932 study, both of which were written under the shadow of Charles A. Beard's

An Economic Interpretation of The Constitution (1913). Lynd, of course, deliberately and wisely, restricted his researching to Duchess county. Professor De Pauw obviously feels that Beard has overstayed his welcome in "Constitution Manor" and cheerfully goes about her self-assigned task of evicting this "man who came to dinner." Not only does she show the door to Beard, but she also suggests that Forrest McDonald might well pack his week-end bag of credentials. Even Jackson Turner Main is asked to sit below the salt because of apparent "sympathy" with Beard in his 1961 monograph.

De Pauw's study is a valient attempt to turn the history of ratification away from the lines set down by Beard by shifting the focus. Unfortunately, she frequently cites in her footnotes those very authors whom she criticizes in her preface. Pointing out that the evidence on which any socio-economic interpretation must be based is especially scarce and annoyingly contradictory in New York, the author has refocused on the political issues as they appeared to the men of the time. While not ignoring social and economic aspects, she is primarily concerned with "what the men of 1787-1788 wanted to achieve politically and how they went about getting it rather than with their social status or material possessions." Her analysis of the final vote at the Poughkeepsie Convention suggests that it was as much a victory for the Antifederalists as for the Federalists. This apparent dichotomy doesn't bother her for she argues that "Antifederalism in New York was compatible with a strong attachment to the Union and a sincere desire to augment the power of the central government."

The format of the book is excellent, footnotes are where they belong and the dust jacket is handsome. Cornell University Press is to be congratulated, as is the author.

Merrimack College EDWARD G. RODDY

Robert Johnson: Proprietary & Royal Governor of South Carolina. By RICHARD P. SHERMAN. Columbia: University of South Carolina Press, 1966. xii. 190. Bibliographical essay, index. $6.75.

If present day Americans tend to think of their problems as uniquely complex, they might consider those faced by Governor Robert Johnson of South Carolina over two centuries ago. When he took office, the year following the Yamassee War, Indians threatened the existence of the colony, Spanish and French settlements menaced it from the south, and its coastal trade routes were under the virtual control of pirates. Johnson led the colonists in meeting

these threats, but the indifference of his masters, the Lords Proprietors, led to their overthrow in 1719. His loyalty to them also cost him his post.

In 1729, he returned as the colony's first royal governor. In his second term, the most significant problems were those of paper money, land and quit rents, the prerogatives of the Commons House of Assembly, and the settlement of the back country. The latter, accomplished for the most part after Johnson's death in 1735, was his most important contribution. His famous Township Plan brought "poor protestants" into the colony to buttress its defense, balance its population against the slaves, and develop its economy.

Professor Sherman's work is well organized and very clearly written. It is based primarily upon source materials, chiefly the legislative journals of the colony, transcripts from the British Public Records Office, and the records of the Society for the Propagation of the Gospel in Foreign Parts. In some instances he is able to revise the interpretations of even such standard accounts as those of W. Roy Smith and Beverley W. Bond, Jr. Perhaps he is too uncritical of Johnson, but his account is always carefully based upon the original records. The result is a convincing conclusion. Eighteenth century South Carolina still faced many real problems, but the administration of Robert Johnson prepared it for a period of peace and prosperity.

Erskine College LOWRY WARE

Monumental Washington, The Planning and Development of the Capital Center, By JOHN W. REPS, Princeton, Princeton University Press, 1967, $12.50.

Until lately, as Dean Joseph Hudnut of the Harvard Graduate School of Design often observed, very few city plans in the United States were put into effect, the planners' political abilities being decidedly less competent than their aesthetic acumen. A famous exception was the plan for Washington, D. C. which Major Pierre l'Enfant proposed in 1791 and which still continues, with modification, to control building in the central area of the city. A history of the plans for Washington could be an object lesson to planners, if not what to do, at least, how to do it.

Professor Reps has written the first recent and generally adequate account of the Washington plans, and the Princeton University Press has produced a book elegant in format and illustrations. Professor Reps finds in the Washington plan, particularly as modified by the Senate Park Commission in 1902, such virtues as the

very existence of any plan at all, the bold and inspiring nature of the plan, its simplicity and clarity of design, the skillful use of existing terrain and other geographical conditions, its harmony with the prevailing architectural aesthetic of 1900. Then too he finds that the plan well symbolized America's emergence as a world power, and that national politicians were sufficiently wise to put and to keep the plan in effect and that the planning commissions were not subject to the whimsies of ignorant local politicians and their more whimsical (and ignorant?) constituencies.

What chiefly weakens the author's conclusions is the insufficiency of detail and of his research which is based largely on secondary sources. He did not use, for example, the very large manuscript collections in the National Archives which bear on the work of the commission of 1902. Nor did he use such lesser collections in New York and Chicago which could have shed some light on the work of various members of that commission. Nor does the author seem to have read widely in the Washington newspapers for comments and letters pro and con the plans. None of these sources would change the accuracy of his major facts, but they would have added enormously to his understanding of the successes and failures of the various plans. The secondary sources which he relied upon ignore entirely the great frictions which the plans imposed upon the residents of the city and indicate that the planners, particularly those of 1902, were often naive and superficial in their approach and proposed solutions to the problems of the capital city. Somewhere surely, the author might have commented at some length upon the appalling inappropriateness of the plan for modern traffic. Not that anyone would ask that Major l'Enfant should have foreseen the day of traffic congestion, but one might have asked that if Daniel Hudson Burnham were really as prophetic as he himself believed, as his official biographer insisted and as Professor Reps finds, that since Burnham dearly loved to ride in his own automobile that he might at least have contemplated the then slightly apparent traffic problem. Not many years after 1902, Frederick Law Olmsted, Jr. severely criticized the plan which he, Burnham and Charles Follen McKim had put together, a series of comments which the author apparently did not read. Had his research been more intensive, Professor Reps might not have been so ready with his generalizations. A case in point would be his remark that the plan of 1902 was in keeping with the architectural aesthetic of 1900 when architects believed and preached many aesthetics. The plan of 1902 represented only one of many theories of the time, by no means settled today is the question of how good

that Imperial-Roman-Versailles-Baroque-American-supercolossal aesthetic really was. The insufficient research does not permit the author to take full advantage of what might have been his most important contribution, that is a very detailed understanding of how the planners and the politicians worked together and against each other and/or took advantage of chances and accidents to keep the plan of 1791 in effect.

As to Professor Reps' conclusions that, on the whole, the Washington plan has a good deal to be said for it, he has every right to be its partisan. Still, I wish that he had taken up the known criticism of the plan and its variations, that its grandiose size, its pomposity, its vastness and emptiness have made it for some time a relic of an aesthetic more akin to dictatorial despotisms than to modern democracies. To state this point of view is to be ironic, an attitude few planners can afford but which historians must often cultivate.

Michigan State University ALEXANDER R. BUTLER

Democratic Politics and Sectionalism: The Wilmot Proviso Controversy. By CHAPLAIN W. MORRISON. (Chapel Hill: University of North Carolina Press, 1967. viii. 173 pp. Notes, bibliography, and index. $6.00)

This volume is an analysis of the Wilmot Proviso as an issue in the Democratic party from its introduction in 1846 through the election campaign of 1848. Against the background of Polk's efforts to secure a $2 million appropriation to facilitate the acquisition of California, Morrison commences his study with Wilmot's decision to prohibit slavery in territory acquired by the war. Unfortunately the author relegates his analysis of Wilmot's motivation to a footnote so that little is added to our knowledge of the origins of the restriction already provided in the studies of Going and Stenberg.

Although the proviso was an insignificant issue in the campaign of 1846, the author explains its reintroduction in January 1847 as a consequence of the quarrel among New York Democrats. Through this amply documented volume the role of the Barnburner and Hunker factions within the Democracy of the Empire State is emphasized, but the question might be raised as to whether or not an analysis of the bifurcation solely on the issues of slavery and the proviso provides an oversimplified explanation of the issues dividing the part in New York?

The author offers a provocative analysis of the meaning of the proviso for the public by indicating that the debate over the restriction of slavery in the territories was merely symbolic of larger

and more complicated issues which the participants dared not articulate in the arena of politics.

After seven chapters setting the stage, this reviewer was disappointed that the account of the proviso as an issue in the election campaign of 1848 was not given more extensive treatment. Although the scope of the study is clearly restricted to the Democratic party, it seems logical that more attention might have been paid to the reaction to this issue by the competing Whig party.

This is an exhaustively researched and exceptionally well-written study which in microcosm examines the difficulties faced by the national Democracy as it found its existence threatened by the increasingly sectional attitudes of its component parts.

United States Naval Academy JOHN W. HUSTON

Yankee Rebel: The Civil War Journal of Edmund DeWitt Patterson. Edited by JOHN G. BARRETT. Chapel Hill: The University of North Carolina Press. xix, 207. $6.00.

The literature of the Civil War is rich with diaries and memoirs, but their quality is often as varied as their number. Edmund deWitt Patterson's diary, *Yankee Rebel,* is one of the better products of the period, and it should have an appeal to both the scholar and general reader.

Patterson was born in Lorain County, Ohio, but at the age of seventeen he went south as a book agent. Settling in Alabama, he at first became a school teacher and then a store clerk in Waterloo. Caught by the sectional crisis, Patterson became an ardent Southern nationalist. At the outbreak of the war, he enlisted in the Lauderdale Rifles and saw duty in Virginia. In 1862 he was wounded at Frazier's Farm, and in the following year he was captured during the Gettysburg campaign. For the remainder of the war Patterson was imprisoned near his Ohio home at Johnson's Island.

Patterson's diary is valuable for his personal reaction to those events which occurred around him and of which he was a part. His wide variety of experiences from camp life to a prisoner of war are recorded with insight, sensitivity, and reflection. His writing often captures the pathos as well as the drama of war. Estranged from his Ohio family, numerous entries reflect the personal tragedy of divided loyalties. Patterson's articulate commentary is well edited by Professor Barrett of the Virginia Military Institute and is a credit to his skill as an editor.

Georgetown University RICHARD R. DUNCAN

Old Buildings, Gardens and Furniture in Tidewater, Maryland. By H. CHANDLEE FORMAN, PH.D. (Fine Arts), A.I.A. Cambridge: Tidewater Publishers, 1967. 305. Index. $12.50.

Dr. Forman has written an excellent book documenting the history, architecture and gardens of a number of Maryland's early plantation houses, many of which have long since disappeared. Some 580 photographs, sketches and floor plans, many by the author, and a scholarly text are used to reconstruct and record a way of life in the Tidewater counties that would otherwise have been lost forever.

Writing in the crisp authoritative style of a trained historian, practicing architect and archaeologist, Dr. Forman tells of the indifference toward and the wanton neglect and destruction of a great heritage. He cites, along with many other instances, the lingering demise of the great house of Governor Robert Bowie on the banks of the Patuxent River and the dynamiting of Elverton Hall in Prince George's County in order to make room for "progress." While the book focuses upon the early small and mostly obscure houses, it also includes some of the familiar structures that have been spared and are now in prime condition.

Presented in five parts, Part One, "A Glimpse of Early Maryland," deals primarily with the way of life, gardens, furniture, utensils and weapons of the early settlers. Part Two, "The Upper Eastern Shore," features Wye House, its gardens and Orangerie, and Myrtle Grove, both outstanding houses that have been tenderly cared for and preserved. Also, included are photographs and drawings of other structures that have now disappeared. Part Three, "The Lower Eastern Shore," has among its sub-titles, "Notes on Old Wye and Old Trinity Churches" and "Green Hill, a Church Saved by Providential Isolation." Part Four, "Southern Maryland," devotes twelve pages of text and many illustrations to Cedar Park, West River. It is aptly described as "a 17th Century House in a Brick Cocoon." This venerable house, basking in a serene setting, once a deer park, and having withstood the ravages of time, has always been in the ownership of descendants of the 17th Century builder. An inventory of the furniture and effects of Richard Galloway II, made in 1736, naming the rooms and contents, is used extensively by the author. Many other fine houses, not so fortunate, which have disappeared are brought to life for the record in this part of the book. Part Five has to do with "The Upper Bay Counties" and, like the other sections, contains many illustrations of houses, outbuildings and gardens, some of which have survived.

Old Buildings, Gardens and Furniture in Tidewater Maryland

is too fine a book to warrant even a passing criticism. However, the arrangement of the photographs and drawings in relation to the pertinent text could have been improved upon. The Retreat (fig. 181, page 224), listed as the "home of a Signer of the Declaration of Independence" is obviously a mistake. The proper identification of Daniel St. Thomas Jenifer appears on the opposite page. Those knowledgeable in period gardens may question the broad interpretation and usage of the term "knot garden," and some historians may not be happy with the frequency of use of "the Free State." Yet, these possible differences of opinion do not in any way detract from the basic quality of the book.

Dr. Forman is to be congratulated for this timely and outstanding work which is a permanent record invaluable to professionals as well as to laymen interested in the history of Maryland.

Annapolis, Md. J. REANEY KELLY

BOOKS RECEIVED FOR REVIEW

Maryland Personality Parade. By VERA F. ROLLO. Lanham, Md.: Maryland Historical Press, 1967. vi, 100. Paper. $2.95.

The Democratic Republicans of New York: The Origins, 1763-1797. By ALFRED F. YOUNG. Published for the Institute of Early American History and Culture at Williamsburg, Va. Chapel Hill: The University of North Carolina Press, 1967. xv, 636. $12.25.

Coasting Captain: Journals of Captain Leonard S. Tawes, Relating His Career in Atlantic Coastwise Sailing Craft from 1868 to 1922. Edited by ROBERT H. BURGESS. Newport News, Va.: The Mariners Museum, 1967. xix, 461. $8.50.

The Growth of the Seaport Cities, 1790-1825. Edited by DAVID T. GILCHRIST. Published for the Eleutherian Mills-Hagley Foundation. Charlottesville: The University Press of Virginia, 1967. xvi, 227. $5.

Liquor and Anti-Liquor in Virginia 1619-1919. By C. C. PEARSON and J. EDWIN HENDRICKS. Durham, N. C.: Duke University Press, 1967. ix, 342. $8.75.

The Teaching of History. Edited by JOSEPH S. ROUCEK. New York: Philosophical Library, Inc., 1967. 282. $10.

Samuel Duncan Oliphant, the Indomitable Campaigner: His Scottish, Colonial and American Family With Emphasis on His Heroic Civil War Record. By FRED SMITH. New York: Exposition Press, Inc., 1967. 203. $6.

The Brethren in Colonial America: A Source Book on the Transportation and Development of the Church of the Brethren in the Eighteenth Century. Edited by DONALD

F. DURNBAUGH. Elgin, Ill.: The Brethren Press, 1967. 659. $10.

The Upper House in Revolutionary America 1763-1788. By JACKSON TURNER MAIN. Madison: The University of Wisconsin Press, 1967. xii, 311. $7.50.

A History of Negro Education in the South from 1916 to the Present. By HENRY ALLEN BULLOCK. Cambridge: Harvard University Press, 1967. xi, 339. $7.95.

The United States Army and Reconstruction, 1865-1877. By JAMES E. SEFTON. Baton Rouge: Louisiana State University Press, 1967. xx, 284. $8.

Sectional Stress and Party Strength: A Study of Roll-Call Voting Patterns in the United States House of Representatives, 1836-1860. By THOMAS B. ALEXANDER. Nashville: Vanderbilt University Press, 1967. xvii, 284. $10.

BIBLIOGRAPHICAL NOTES

SIGNED MARYLAND BINDINGS I

Signed American bindings are rare, and signed Maryland bindings even rarer. This series of notes will describe briefly and illustrate adequately such signed Maryland bindings as can be found, with a view to bringing this form of Maryland craftsmanship into greater notice than it has yet received and providing evidence on which attribution of unsigned bindings can perhaps be based.

The binding here illustrated appears on a copy owned by the Society of the 1847 edition of *Proceedings against William Lloyd Garrison, for a libel,* published in Baltimore and printed by William Wooddy. It was bound for the Library Company of Baltimore by Louis Bonsal, then in business at 75 Baltimore Street. His ticket is in the upper left corner of the front pastedown of the book. It measures $\frac{9}{16}$" x $1\frac{1}{16}$".

The leather is full black roan, and the size of the binding is $8\frac{11}{16}$" x $5\frac{7}{16}$". Though extremely simple, the work is competent and attractive. The spine contains no lettering and is divided into panels by plain gilt double rules. Both covers are bordered by an ornamental gilt roll.

In the 1850 census Bonsal is described as a native of Maryland aged 39. The 1847-1848 Baltimore directory is the first in which he appears, and his address is as shown on his ticket. He last appears in the directory for 1867-1868. In these directory listings he is always described as a bookbinder, though in the later years he is also called a bookseller and stationer. Raphael Semmes has noted that during the war years he was a pro-Union publisher.[1]

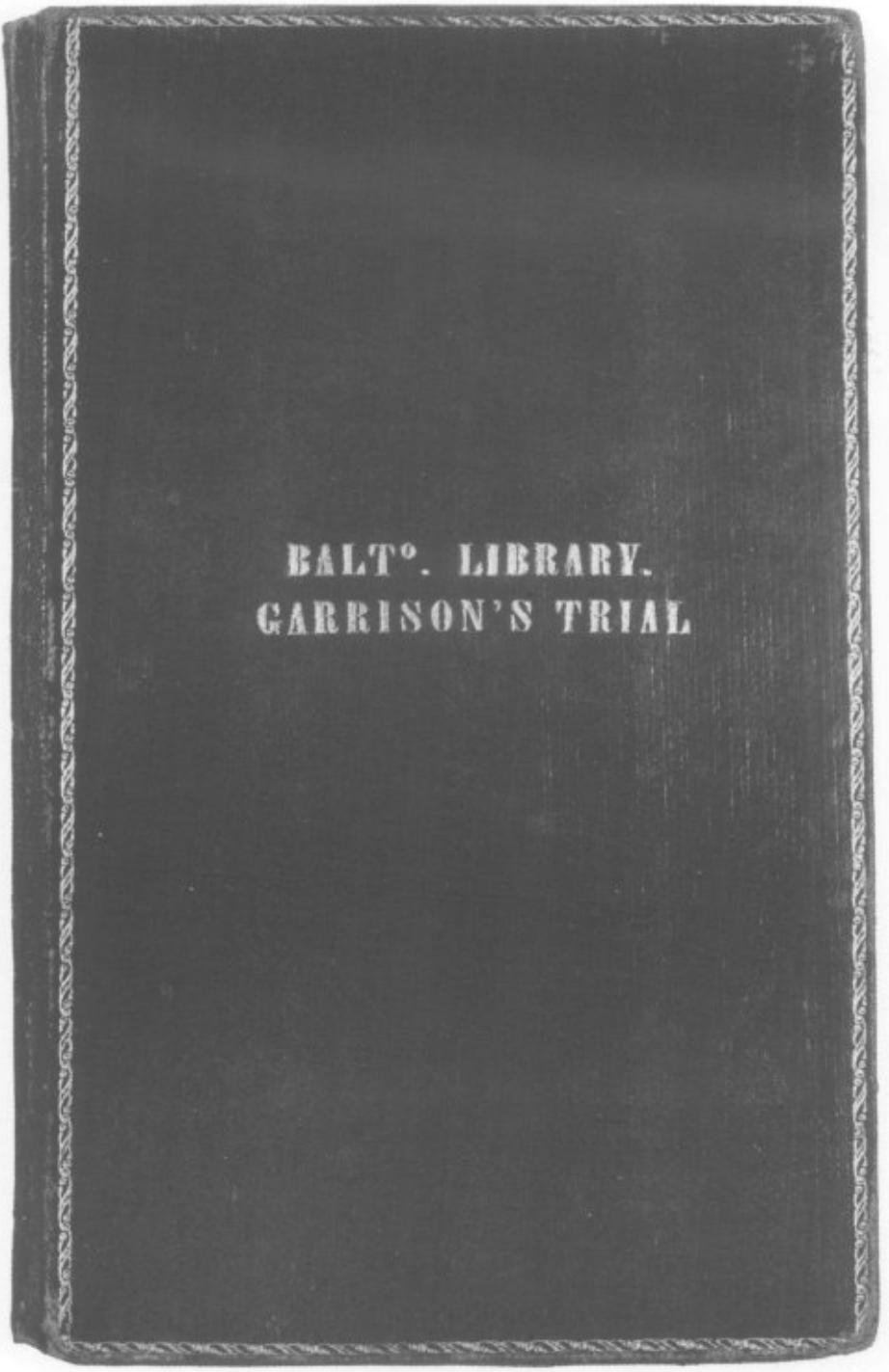
The binding here described was most likely produced in 1847 and can hardly have been later than early 1851; the directory for the latter year lists Bonsal's shop as at 74 Exchange Place, and subsequent directories show it as at still other addresses.

Baltimore EDWARD G. HOWARD

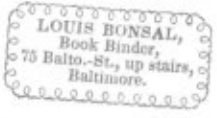
PLAYS BY MARYLANDERS, 1870-1916

During the course of investigating dramatic works by Americans, it became apparent that a substantial number of plays

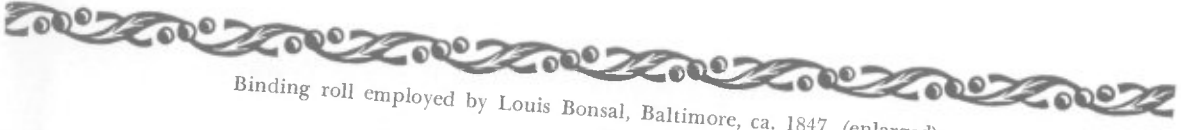
[1] "Civil War Song Sheets," *XXXVIII Md. Hist. Mag.* (1943), 205, 221.



Binding by Louis Bonsal, Baltimore, ca. 1847. (reduced)



Ticket of Louis Bonsal
ca. 1847
(actual size)



Binding roll employed by Louis Bonsal, Baltimore, ca. 1847 (enlarged)

had been written by Marylanders. This paper records the results of a search aimed at providing a comprehensive listing of such plays.

Long overlooked by literary historians and bibliographers are the records of the Copyright Office, which form a rich source of basic information. The holdings include a vast number of deposit copies in manuscript and typed form as well as private and commercial printings. A great deal of this material has never appeared commercially. In many instances it is probable that the deposit copies are the only form in which some of these plays exist.

The set of records studied was *Dramatic Compositions Copyrighted in the United States 1870-1916.* Issued by the Government Printing Office, Washington, 1918, this two-volume work lists more than 60,000 plays. These are arranged alphabetically by title and given consecutive entry numbers. In addition, they are supplemented by an index of authors and copyright proprietors which also includes references to joint authors, editors, and translators as well as cross-references to pseudonyms. For each name, the pertinent plays are listed, all referenced to entry numbers. Inasmuch as there is no geographical index, the plays by Marylanders could be located only by examining each play entry.

The result is a group of about 600 plays by nearly 275 Marylanders. Just what constitutes a Marylander I am not prepared to say. For the purposes of this study I include any playwright having a Maryland address, even though I know that this includes some temporary Maryland residents who wrote while here. Admittedly this leaves something to be desired, but since the biographical apparatus available is inadequate to provide information on most of these writers, this was the most sensible course to take.

This definition has two other aspects not immediately apparent. In many instances a playwright considered to be a Marylander (he may even have been located in some local directory), had one or more plays copyrighted while in another state. In these cases his address is always given as outside Maryland. By definition, these plays are not included in this list. However, in these instances, I mention the existence of such

plays, and by reference to the index in the *Dramatic Compositions,* information on them can be obtained. There may also have been some genuine Marylanders whose total dramatic production was copyrighted from other states. Such cases are necessarily excluded from this list.

The arrangement of the authors is alphabetical with the plays listed exactly as given in the records. This will include some or all of the following information—title of the play, the copyright owner and his address, the entry date, the deposit date, the number of copies deposited, the date of publication, the class designation and the registration number that identifies the play in the records.

Unhappily a very frustrating situation exists. The copyright law in effect from July 8, 1870 to June 30, 1909 allowed the applicant first to file the title page of the play and later to deposit the required copies. Consequently, a large number of titles filed for registration were not followed by the plays. It is estimated that of all the entries in the *Dramatic Compositions,* over 20,000, or about a third, are not represented by deposit copies. The percentage of plays without deposit copies in this list is substantially higher.

Whether through carelessness, lack of understanding of the requirements of the copyright law, or a change of mind, this failure to deposit copies has left a large number of tantalizing titles. It probably will not be easy to determine if any of the missing plays were written, although a search for manuscript copies of them in libraries might turn up a few. Nonetheless, the listing of such plays is certainly justified, for it indicates, at the very least, intentions on the part of the writers.

AGNUS, FELIX and LOUISE MALLOY
Daughter (A) of the Revolution; a romantic drama of 1776, by F. Agnus and L. Malloy.
© Felix Agnus and Louise Malloy, Baltimore; 1899:33234, May 17.[1]

[1] From 1870 through 1899, copyright entries were given sequential registration numbers, in this case 33234. In 1900, classes of copyright materials were established, and dramas assigned the letter A, to precede the number. The A was changed to D in 1901.

ALLEN, ALFRED
Coward; by A. Allen.
© Alfred Allen, Baltimore; 1890:7475, Mar. 5.
Girl (The) with a practical head; by A. Allen.
© Alfred Allen, Baltimore; 1890:7479, Mar. 5.
Grass (A) widow; by A. Allen.
© Alfred Allen, Baltimore; 1890:7478, Mar. 5.
Just my luck; by A. Allen.
© Alfred Allen, Baltimore; 1890:7476, Mar. 5.
Maid (A) in heart; by A. Allen.
© Alfred Allen, Baltimore; 1890:7477, Mar. 5.
Woman's (A) curiosity; by A. Allen.
© Alfred Allen, Baltimore; 1890:7480, Mar. 5.
Plays © in other states - 6.

ALLISON, P. M., see LANGDON, W. H.

ANDERSON, NELS DEICHMANN
Codes of honor; 1 act play, by N. Deichmann Anderson. 6 p. 4°. Typewritten.
© 1c. Aug. 26, 1913; D:34244; Nels D. Anderson, Baltimore.[2]
Escape (The); by. N. D. Anderson. 8 p. f°. Typewritten.
© 1c. Mar. 6, 1911; D:23558; N. D. Anderson, Baltimore.
Game of chess; by N. D. Anderson. 7 p. f°. Typewritten.
© 1c. Sept. 11, 1911; D:25188; N. D. Anderson, Baltimore.
Judas Iscariot; play in 5 acts, by N. D. Anderson. [3], 59 p. 4°. Typewritten.
© 1c. Feb. 14, 1914; D:36024; Nels D. Anderson, Baltimore.
Plays © in other states - 1.

ANDERSON, RICHARD
Beyond the divide; drama in 4 acts, by R. Anderson. [7], 105 p. 4°. Typewritten.
© 1c. Mar. 6, 1911; D:23563; Richard Anderson, Baltimore.
Plays © in other states - 2.

ANSPACH, LILLIAN
Belle (The) of Baltimore Town; drama in 4 acts, by L. Anspach, adapted from the story Letters found in an antique secretary. 101 p. 16°. Typewritten.
© 1c. Aug. 16, 1916; D:44666; Lilian [sic] Anspach, Baltimore.

[2] The designation 1c. or 2c. shows the number of copies deposited.

Lolita; vaudeville sketch, by L. Anspach. 21 p. 12°. Typewritten.
© 1c. July 29, 1916; D:44517; Lilian [sic] Anspach, Baltimore.

APPLEBY, SAMUEL CRAPIN
Parson's (The) battle; a comedy in 1 act and 1 scene, by S. C. Appleby.
© Samuel Crapin Appleby, Baltimore; 1891:36001, Oct. 6.
Stolen (The) sabre; or, Joe Silverthorn's victory; by S. C. Appleby.
© Samuel Crapin Appleby, Baltimore; 1892:7750, Feb. 18.

ARMSTRONG, PAUL
Sierra; by. P. Armstrong.
© Paul Armstrong, Princess Anne, Md.; D:8783, July 5, 1906. Plays © in other states - 25.

BALDWIN, CHARLES G.
Miss Tiggiewinkle; a drama in 3 acts, by C. G. Baldwin.
49 p. 4°. Typewritten.
© 1c. Sept. 11, 1911; D:25184; Charles G. Baldwin, Baltimore.

BALLAGH, HAROLD, see HARRELL, CARRIE ELIZABETH.

BALLAUF, WILLIAM L., JR.
Across the hills; a western romance in 4 acts, by W. L. Ballauf, jr.
© William L. Ballauf, jr., Baltimore; 1893:46654, Oct. 18.
Barrel (A) battle; a dramatic composition in 1 act and 1 scene. 27 p. f°. Typewritten.
© Wm. L. Ballauf, jr., Baltimore; D:8417, Apr. 25, 1906; 2c. Apr. 19, 1906.
Lost among the living; a comedy drama in 4 acts, by W. L. Ballauf, jr.
© William L. Ballauf, jr., Baltimore; 1896:58782, Oct. 26.
Midnight (The) mail; a comedy drama in 4 acts, by W. Ballauf, jr.
©William Ballauf, jr., Baltimore; 1892:29688, July 16.
Midnight (The) special; a comedy drama in 4 acts, by W. Ballauf, jr.
© William Ballauf, jr., Baltimore; 1892:34357, Aug. 20.

Son (A) of a gun; a farce comedy in 3 acts, by W. L. Ballauf, jr.
© W. L. Ballauf, jr., Baltimore; 1897:13577, Feb. 24.
Under a shadow; a melodramatic composition in 5 acts, by W. L. Ballauf, jr.
© W. L. Ballauf, jr., Baltimore; 1894:41548, Sept. 11.
Plays © in other states - 2.

BANKS, ENOS R., see HAND, M. J.

BARNARD, PHIL JEAN
Man (The) in white; by P. J. Barnard.
© Phil Jean Barnard, Baltimore; D:10838, June 25, 1907.

DE BARRIL, ROBERT
King's (The) devil; a drama in 5 acts, by R. de Barril. [47] p. f°. Typewritten.
© Robert de Barril, Solomons, Md.; D:14599, Dec. 23, 1908; 2c. Feb. 2, 1909.
Plays © in other states - 1.

BARWALD, WILLIAM H.
Bluffer (The) bluffed; 1 act dramatic comedy written by W. H. Barwald. 15 p. f°. Typewritten.
© 1c. May 16, 1912; D:29682; William H. Barwald, Baltimore.
Plays © in other states - 1.

BASSETT, JEDEDIAH
Jedediah Basset's [*sic*] *kettle drum and kitchen of ye olden time;* by J. Bassett.
© Jedediah Bassett, Baltimore; 1887:5005, Mar. 5.
Plays © in other states - 1.

BAYLY, EUNICE R.
Marriageable (The) daughter; a play, by E. R. Bayly.
© Eunice R. Bayly, Baltimore; 1887:29192, Nov. 11.

BEDLOW, HENRY
Love and science; a comedy in 3 acts, tr. from the French of Victorien Sardou, by H. Bedlow. 56 p. 12°. Printed.
© Henry Bedlow, Baltimore; 1887:7136, Mar. 26; 2c. Apr. 2.

BENN, WALTER
Claude Duval; or, The haunted house of Whitefriars, a drama in 2 acts by W. Benn.

© Walter Benn, Baltimore; 1872:800, Jan. 26.
Plays © in other states - 1.

BENNETT, JOHN WILLIAM
Richard Neville, patriot; a drama of the Civil War, in a prologue and 4 acts, by J. W. Bennett.
© John William Bennett, Baltimore; 1899:19880, Mar. 17.

BERNARD, FRANK H.
Iceman (The); comedy-sketch in 1 act, by F. H. Bernard.
© Frank H. Bernard, Baltimore; D:481, May 16, 1901.

BIRGE, EDWARD G.
Mr. Munchausen; by E. G. Birge.
© Edward G. Birge, Baltimore; D:11800, Nov. 25, 1907.
Plays © in other states - 2.

BLOEDE, VICTOR G.
Parrot (The); a farce in 2 acts, by V. G. Bloede.
© Victor G. Bloede, Catonsville, Md.; 1900 A:3034, Feb. 2.

BRADY, THOMAS E.
Running for the nomination; by T. E. Brady.
© Thomas E. Brady, Baltimore; D:10199, Mar. 23, 1907.
Tramp (The); by T. E. Brady.
© Thomas E. Brady, Baltimore; 1880:3149, Feb. 27.

BRENNAN, ALICE TURNER YORDLEY
Paper (A) doll; play in 1 act, by Alice Roseley [pseud. of A. T. Y. Brennan]. 4 p. 4°. Typewritten.
© 1c. Nov. 29, 1913; D:35263; Alice Turner Yordley Brennan, Baltimore.
Plays © in other states - 1.

BRENNAN, MRS. J. J.
Basket ball; by Mrs. J. J. Brennan. 3 p. 4°. Typewritten.
© 1c. Oct. 30, 1909; D:17234; Mrs. J. J. Brennan, Baltimore.

BRENNER, SOL M.
Ethan Allen; an original comic opera in 2 acts, by S. M. Brenner.
© Sol. M. Brenner, Baltimore; 1894:8136, Feb. 1.
Governor (The) of Guayra; an entirely original comic opera in 3 acts, by S. M. Brenner.

© S. M. Brenner, Baltimore; 1899:84068, Dec. 28.
Husband (The) hunters; an American musical comedy in 2 acts, by S. M. Brenner.
© S. M. Brenner, Baltimore; D:15830, May 5, 1909.
Pearl (The) of the Indies; an original comic opera in 3 acts, by S. M. Brenner.
© S. M. Brenner, Baltimore; 1899:23183, Apr. 1.
Plays © in other states - 2.

BROTMAN, BENNIE
Zusterte (Die) chuppe; oder, A minut for den todt, melodrama in 5 akten und 7 bildern, verfasst von B. Brotman.
© Bennie Brotman, Baltimore; D:3292, Apr. 15, 1903.

BRUNS, ROBERT MARTIN
Khan (The) of Tartary; comic opera in 2 acts, book and lyrics by R. M. Bruns, music by Wilford Herbert. 96 p. 4°. Typewritten. [Libretto only]
© Robert Martin Bruns, Baltimore; D:5628, Oct. 11, 1904; 2c. Feb. 13, 1905.

BURGHER, FRANKLIN
Yungo, the outcast; a tragedy in 5 acts, by F. Burgher.
© Franklin Burgher, Baltimore; 1874:1978, Feb. 19.

BURROW, TRIGANT
Dream (The) interpreter; play in 4 acts, by T. Burrow. [2], 160 p. 4°. Typewritten.
© 1c. June 25, 1914; D:37404; Trigant Burrow, Baltimore.

BUTLER, FAY
America's enemies; a war drama in 3 acts, by F. Butler.
© Fay Butler, Baltimore; 1898:31733, May 21.
Plays © in other states - 1.

BUTLER, HARRY A.
Griswold's resurrection; drama in 1 act, by H. A. Butler. 5 p. 4°. Typewritten.
© 1c. Feb. 3, 1913; D:32173; Harry A. Butler, Baltimore.

CAMPBELL, JAMES
Visit (A) to Japan; by J. Campbell.
© James Campbell, Baltimore; 1886:5941, Mar. 13.

CARLETON, HENRY GUY
Cuckoo (The); a farce in 3 acts, by H. G. Carleton.
© Henry Guy Carleton, Baltimore; 1898:53282, Sept. 12; 2c. Sept. 20.
Plays © in other states - 23.

CARR, SARAH PRATT, see VOLKMANN, LILLIAN

CAUFMAN, MADELON
$50.00 (The) beauty; or, The doll girl, in 3 acts, by M. Caufman. [2], 36 p. f°. Typewritten.
© 1c. Aug. 27, 1910; D:21883; Madelon Caufman, Carl Junction, Md.
Plays © in other states - 5.

CAUGHY, CHARLES M.
Duty: an historical drama, by C. M. Caughy.
© Charles M. Caughy, Baltimore; 1883:22695, Dec. 8.
Duty; or, Love and jealousy, an historical drama of the days of the Stuart insurrection of 1745, by C. M. Caughy.
© Charles M. Caughy, Baltimore; 1874:4947, Apr. 14; 2c. Apr. 14.
For the King; an historical drama of the days of the Stuart insurrection of 1745, by C. M. Caughy.
© Charles M. Caughy, Baltimore; 1873:5581, May 17.

CAUTLEY, LUCY RANDOLPH
By Giotto's tower; or, The house of death, a drama of old Florence in 4 acts, by L. R. Cautley.
© Lucy Randolph Cautley, Baltimore; D:106, Feb. 2, 1901.
Henry Esmond; a drama in 4 acts, by L. R. Cautley.
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CHASE, ALICE MAY and HOWARD GIBBS CHASE
Janizaries (The) of Jane; a musical play in 2 acts, by Alice May Lindholm [i.e. A. M. Chase] and Howard Gibbs Chase.
© Alice May Chase, Baltimore; D:11411, Sept. 25, 1907.
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CHASE, HOWARD GIBBS, see CHASE, ALICE MAY

CHESLEY, SOLOMON RUSSELL
Tricked; by S. R. Chesley. [2], 10 p. f°. Typewritten.

© 1c. May 3, 1913; D:33133, Solomon Russell Chesley, Baltimore.

CLARK, NORMAN

Under her thumb; playlet, by N. Clark. [2], 14 p. f°. Typewritten.

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COWAN, L. H.

Sword (The) of chivalry; by L. H. Cowan.

© L. H. Cowan, Chevy Chase, Md.; D:10397, Apr. 23, 1907.

Yolande; or, The hearts of men, by L. H. Cowan.

NO. — 4 — 1572 . . . . . .

© L. H. Cowan, Chevy Chase, Md.; D:11314, Sept. 7, 1907.

CRONIN, EUGENE J.

Tainted money; by E. J. Cronin. 17 p. f°. Typewritten.

© Eugene J. Cronin, Baltimore; D:7496, Nov. 3, 1905; 2c. Nov. 3, 1905.

CROSSY, ISABEL

Betsy Jane, the latest woman; a musical farce comedy in 3 acts, by I. Crossy.

© Isabel Crossy, Two Johns, Md.; 1895:52128, Oct. 14.

CROSSY, J. S.

Two (The) Johns; a comedy in 3 acts, by J. S. Crossy.

© J. S. Crossy, Potter's Landing, Md.; 1883:14747, Aug. 9; 2c. May 25, 1885.

—; a musical comedy in 3 acts, by J. S. Crossy. 44 p. 12°. Printed. [Libretto only]

© J. S. Crossy, Potter's Landing, Md.; 1885:12284, June 3; 2c. June 3.

Plays © in other states - 26.

CULLEN, JOHN, see MC CLUNG, LITTELL

CURLEY, H. C. and WM. SCHAEFFER

Across the ocean; a protean comedy in 2 acts, by H. C. Curley and W. Schaeffer.

© H. C. Curley and Wm. Schaeffer, Baltimore; 1879:15568, Nov. 18.

Baltimore (To be continued) EDGAR HEYL

NOTES AND QUERIES

Illustrations—The views of the C. and O. Canal (cover and p. 364) are original paintings rendered in watercolor by the artist-banker of Cumberland, Maryland, John L. Wellington. The paintings date about 1920. Fifty-two of Wellington's works, comprising pictures of the canal, the city of Cumberland and the south branch of the Potomac River, were deposited at the Maryland Historical Society by Mr. Melvin Scheidt of Highland, Maryland.

"Confederate War News" (p. 364) is an oil painting, a copy by an unknown artist of Richard Caton Woodville's "War News from Mexico." The "Confederate War News" varies in several details from Woodville's work. The artist—perhaps Adalbert Johann Volck of Baltimore, the pro-Southern dentist turned cartoonist—may have done the painting for the Germania Club which gave the Society the work when it disbanded in 1918.

R. W.

Howard article—The following probate of will may be of interest to those who are seeking the identity of Matthew Howard the Emigrant, who patented land in Virginia in 1638, and supposedly went to Maryland about 1649. It is cited in *Abstracts of Probate Acts in the Prerogative Court of Canterbury,* published in London 1906. (Library card No. 929.3, C 23.1, in the Cincinnati Public Library):

Page 452—HOWARD, Mathew, of Norwich, Norfolk.
Will (15 Fairfax) pr. Jan. 11, 1648-9
by sons SAMUEL and MATHEW

If Matthew Howard the Emigrant was still in Maryland in 1650 (the year of his first grant), then perhaps this was the will of his father, also named Mathew; and possibly he named his oldest son, Samuel, for his brother of that name.

This would again seem to rule out the parentage of Sir Thomas Arundel-Howard. There is a manuscript at Wardour which definitely states that Matthew Arundel, son of Sir Thomas Arundel and Ann Philipson, died in Castle Yard, Holborn, and was buried June 2, 1620, in the Chancel of St. Andrews, Holborn. (He was baptized there on June 19, 1609.) This is quoted in *Genealogical Collections Illustrating the History of the Roman Catholic Families of England, Part 3—Arundell Family,* by J. Jackson Howard, and H. F. Burke, privately published in London, 1887.

Have any other clues been uncovered in recent years about these English-born Matthew Howards?

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