

MARYLAND HISTORICAL MAGAZINE

Published Quarterly by the Maryland Historical Society



FALL 1977
Vol. 72, No. 3

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MARYLAND ANnapolis, MARYLAND
 HISTORICAL
 MAGAZINE

Vol. 72
No. 3
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The Maryland Theatrical Season of 1760

KATHRYN PAINTER WARD

ON FEBRUARY 7, 1760, THE *MARYLAND GAZETTE* ANNOUNCED THE IMMINENT Annapolis debut of the distinguished theatrical troupe that came to dominate the colonial stage: "By permission of his excellency the Governor, a theatre is erecting in this city which will be opened soon by a Company of Comedians, who are now at Chestertown."¹

Managed by David Douglass, they had left Jamaica not long before advertised as the Company of Comedians from London. But the parent company, of which these actors were nominal descendants and, in part, direct heirs, was not new to the colonies; they had sailed from London in the spring of 1752, sponsored by William Hallam, proprietor of a theater in Goodman's Fields, London, and managed by his brother Lewis.

The financial arrangements of the enterprise differed little from those customary in Shakespeare's England. The profits would be divided into eighteen shares: each of the twelve adult players would receive one share, and in addition Lewis would have an extra share for his three children (Lewis, Jr., Adam, and Helen) and an extra share as manager. The remaining four shares were assigned for the property and paid to William and Lewis Hallam. William would earn his portion by recruiting in London when there was need for scripts or actors.²

Dunlap paints a lively picture of the shipboard rehearsals on the *Charming Sally* as the players strove to perfect their lines above the competition of the inattentive ocean, but these well-drilled actors did not come into Maryland during their first essays in the colonies. Arriving in Yorktown in June 1752, they went at once to Williamsburg where Governor Dinwiddie gave them permission to fit out a theater, which they opened in September. The following summer they were in New York, where, in spite of local religious objectors, they received permission for a limited stay; in the winter of 1753 they attacked the Quaker stronghold of Philadelphia.³ Again they met religious opposition, now so strong that, discouraged in the North, they moved south to Charleston, opening in October and continuing with weekly performances until January 1755,⁴ when

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1. Beyond the announcement in the February *Gazette* there is no record that the company was in Chestertown before they came to Annapolis.

2. William Dunlap, *History of the American Theatre* (New York, 1832), pp. 104-5, lists the members of the Company as Lewis Hallam, manager and actor; Mrs. Hallam, principal female roles in both tragedy and comedy; Mr. Righby, tragic heroes; Mr. and Mrs. Clarkson, "useful"; Miss Palmer; Mr. Singleton; Mr. Herbert; Mr. Winell (or Wynel); Mrs. Adcock; Mr. Malone.

3. Examples of letters opposing the theater may be found in the *Pennsylvania Gazette*, March 9 and 26, 1754.

4. Eola Willa, *The Charleston Stage in the XVIII Century* (New York, reprint ed., 1968), p. 42.

they moved to Jamaica.⁵ There the gay and merry life of the Islands had already proved receptive to the theater, notably to the pioneer John Moody, whose company was now playing under the management of David Douglass.

Shortly after reaching Jamaica, Lewis Hallam died, and a year or two later, his widow married Douglass, a printer who turned trouper in order to join the company gathered by Moody for the Jamaica stage in 1751. As William Dunlap saw it, "Mrs. Hallam married David Douglass and placed him on the theatrical throne of the western hemisphere."⁶ But Douglass was a competent leader in his own right. Educated in Scotland or England, he had served as a printer in Jamaica before he joined Moody. The infrequency of his appearance in major roles suggests that his acting ability was not of the first order, but his was the hand that guided the helm of theatrical entertainment in the American colonies until the Revolutionary War forced his retirement. An enterprising manager and builder of playhouses, he won the respect of colonial governors through both diplomacy and tireless determination.⁷

Douglass organized a company in Jamaica with his wife and her two sons, Lewis, Jr., and Adam Hallam, probably the sole survivors of Lewis Hallam's troupe that had reached Kingston more than three years earlier. Helen Hallam, Lewis's third child, was no longer with the family. In the new company, Mrs. Douglass played leading female roles in tragedy and comedy with equal acclaim; her son Lewis, barely twenty years old, was leading man. Dunlap describes him as "of middle height or above, thin, straight, and well taught as a dancer and fencer. In learning the latter accomplishment he had received a hurt in the corner of one of his eyes which gave a slight cast, a scarcely perceptible but odd expression to it in some points of view; generally his face was well adapted to his profession, particularly in comedy."⁸ With Lewis was his wife Sarah, whom he had married in Jamaica. Adam Hallam, his younger brother, seems from the roles he was assigned to have had little acting talent. Perhaps he served as property-man, prompter, or general advance man for the company.

Besides Douglass, two other members of Moody's Jamaica troupe joined the new company: Owen Morris and his wife. Both were competent players. Morris was best known for his comic-old-men parts, and his jests and buffoonery later made him the darling of audiences from New York to Charleston.

5. The travels of Lewis Hallam's company in the colonies is variously traced by regional and general historians of the early American theater. There is no full-length regional history of the early Maryland theater. For the latest general account, see Hugh F. Rankin, *The Theatre in Colonial America* (Chapel Hill, 1960, 1965), pp. 43-83. For the Hallams' theatrical activities in Jamaica, see Richardson Wright, *Revels in Jamaica, 1632-1838* (New York, 1937), pp. 2, 26.

6. Dunlap, *History of the American Theatre*, p. 18.

7. Douglass returned to Jamaica in 1774, after the Continental Congress passed a resolution intended to "discourage and discountenance . . . exhibitions, shews, plays, and other expensive diversions and entertainments." He was appointed Master of the Revels in Jamaica, an office that gave him authority over all performances and direction of all balls and entertainments. He also held the office of King's Printer for Jamaica and its dependencies as well as many other offices of trust and honor. In Spanish Town when he died, on August 9, 1759, he possessed a fortune estimated up to \$125,000, holdings in lands, and other property of considerable value. Wright, *Revels in Jamaica*, pp. 21-28, draws a sympathetic picture of Douglass in Jamaica, and the fact that Douglass won respect for actors is implicit in his death certificate, which lists him as "gentleman."

8. Dunlap, *History of the American Theatre*, p. 81.

David Douglass first brought his players to New York, where they opened in 1758, heralded as the Company of Comedians from London. Beset with continuing problems, Douglass moved to Philadelphia, but here again the theatrical climate was so unhealthy that he resolved to leave the North where religious opposition to the stage was enacted into law, and move to the South where, without such restrictions, wealthy fun-loving planters always welcomed actors with open arms and, more importantly, open purses.

It is not surprising that Douglass chose Annapolis as the city in which to begin his southern campaign. Entertainment in the provincial capital had been restricted to lavish dinners, balls, fireworks, and horseracing during the eight years that had elapsed since the Murray-Kean Company of actors had disbanded in 1752.⁹ Meanwhile, the capital had grown in size and affluence. "I hardly know a town in England so desirable to live in as Annapolis then was," reminisced the Reverend Jonathan Boucher, writing of his arrival in the city in 1770 to serve as Rector of Annapolis.¹⁰ "It was the seat of government and residence of the Governor and all the officers of State as well as the eminent lawyers, physicians and families of opulence or note." It was indeed, he summarized, "the genteel town in North America."

By the time the *Gazette* of February 7, 1760, announced the impending arrival of the comedians in Annapolis, Douglass had added several players to the personnel of the Company. Conspicuous for his outstanding talent was John Palmer, who had joined the troupe in Philadelphia and remained with them until he returned to England to become the first player after Garrick at Drury Lane. Walter Murray, last seen as the manager of the Murray-Kean Company in Annapolis, joined the Douglas company in the same city on March 20, 1760, to play Aimwell in *The Beau Stratagem*. He remained with Douglass until the company left Maryland. Another name not new to the Annapolis boards was that of Mr. Scott, also an early member of the now disbanded Murray-Kean Company. He too played with the Douglass company throughout the 1760 season in Maryland. Minor roles were undertaken by a Mr. Sturt, Mrs. and Miss Dowthwaitt, and Miss Crane, the ladies very likely brought from Jamaica to Annapolis at the behest of Douglass.

On March 3 all was ready, and the theater opened to a brilliant audience that included His Excellency the Governor. The play chosen for the occasion was Thomas Otway's blank-verse tragedy of 1680, *The Orphan*, in which the principal actor and actress of the Restoration stage, Thomas Betterton and Elizabeth Barry, were originally cast.¹¹ The plot unfolds the tragedy of Castalio and Polydore, twin sons of Acasto and rivals for the hand of the orphan Monimia. Overhearing Monimia and Castalio arrange a meeting at night, and ignorant of their secret marriage, Polydore takes the place of Castalio and is not detected by

9. For an account of the Murray-Kean Company, see Kathryn Painter Ward, "The First Professional Theatre in Maryland in its Colonial Setting," *Maryland Historical Magazine*, 70 (Spring 1975): 29-44.

10. *Reminiscences of an American Loyalist 1738-1789* (Boston, reprint ed., 1925), p. 65.

11. As early as January 24, 1735, strolling players had presented *The Orphan* in the courtroom in Charleston, South Carolina. The tragedy proved so popular that it was repeated in four successive performances and later became a stock piece with the Murray-Kean Company. It continued in popularity well into the nineteenth century.

Monimia. When the truth is discovered, both brothers kill themselves and Monimia dies by swallowing poison.

Mrs. Douglass, famous for her tragic heroines, certainly chose the role of Monimia, but since the cast was not announced, the part played by Douglass remains a matter of conjecture. His, however, were the opening lines when he spoke the long and tedious prologue composed by a "gentleman in this Province whose poetical works have render'd him admir'd by all encouragers of the liberal arts," beginning

Lo! to new worlds th' advent'rous muse conveys
The moral wisdom of dramatic lays!
She bears thro' Ocean Phoebus' high command,
And tunes his lyre in fair Maria's Land;

When *The Orphan* had come to its mournful close and before Garrick's afterpiece *Lethe* had run its course, Mrs. Douglass spoke the lengthy epilogue which with questionable taste summarizes the tragedy in a light, satiric tone.

You saw how fortune favours younger brothers:
The finer gentlemen, and brisker lovers!
Sly Polydore! — he stole into her arms;
While the delicious theft improv'd her charms.
From such a cheat, pray, how could she defend her;
Or know by instinct spouse from a pretender?

Three days after the opening of the theater, the *Maryland Gazette* proudly testified to the warm welcome of the players and their competence as actors in what must be called the first theatrical criticism to appear in Maryland. It may be that Douglass paid for the insertion of the paragraph, since it was not good business practice for newspapers to comment on stage performances which were so often frowned upon by client-subscribers, and the compliment to the audience suggests the fine Italian hand of the astute manager.

Monday last the theatre in this city was open'd when the tragedy of *The Orphan*, and *Lethe* (a dramatic satire) were perform'd in the presence of his Excellency the Governor to a polite and numerous audience who all express'd a general satisfaction. The principal characters both in the play and entertainment were perform'd with great justice, and the applause which attended the whole representation, did less honour to the abilities of the actors than to the taste of their auditors.

The March 6 issue of the *Gazette* also announced Farquhar's comedy *The Recruiting Officer* and Garrick's farce *Miss in Her Teens* for the same evening, "to begin exactly at VI o'clock," and promised for the following Saturday, "being the 8th instant," Otway's *Venice Preserved* and Fielding's farce *The Mock Doctor*, Englished from Moliere's *Le Médecin Malgré Lui*. For Otway's blank-verse tragedy, a full cast was listed with Mrs. Douglass named as the tragic heroine. John Palmer played her husband, Jaffir, and Lewis Hallam, Pierre.

The familiar injunction "No person to be admitted behind the scenes" appeared in the announcement of the performances, and admission prices were the same as they had been when the Murray-Kean Company appeared in Annapolis eight years before: "Box 10s. Pit 7/6 Gallery 5s."

Five days after the performance of March 8, the *Gazette* carried the following terse news item under the heading *Annapolis*: "Saturday evening last, the tragedy call'd *Venice Preserved* and *The Mock Doctor*, were perform'd at the theatre in this city, and on Monday evening, *The Tragedy of Richard The Third* and *The King and the Miller*."

Richard III in Colley Cibber's gory version of the play had, like *Venice Preserved*, been in the repertoire of the Murray-Kean Company and hence was known in Annapolis. But the farce that followed, written by the London bookseller and publisher Robert Dodsley, was new to the colonies. Also called *The Miller of Mansfield*, the short piece takes its origin from a ballad included in Percy's *Reliques*, telling the story of a miller who entertains Henry II without recognizing his king and is rewarded with knighthood for his humanity.

"By particular dsaire," Douglass repeated the prologue which he had spoken at the opening of the theater on March 3, when the company undertook Vanbrugh's *Provok'd Husband* and Farquhar's *Stage Coach* on March 13. Although no cast was given for the comedy, a full cast was listed for "Saturday Evening next, being the 15th Instant," when Nicholas Rowe's tragedy *The Fair Penitent* and Ravenscroft's *Anatomist* were scheduled. As we might expect, Mrs. Douglass played Calista, the title role, and Douglass spoke the prologue he had given "at the opening of the theatre," but surprisingly her son Lewis played her husband, Altamont. Calista's suitor, the "haughty, gallant, gay Lothario," was the property of Mr. Douglass, and the role of the blunt soldier-confidant of Altamont fell to the competent Mr. Palmer.

Produced in London in 1703, *The Fair Penitent* was more than fifty years old when it was first presented in Annapolis, but the play had been kept alive by its own intrinsic merit as well as by its laudatory critics — not the least of these being Dr. Johnson, who said of it, "There is scarcely any work of any poet at once so interesting by the fable, and so delightful by the language." The "gay Lothario" became proverbial and served Samuel Richardson in 1747 as the model for his unscrupulous man of fashion, Lovelace, the seducer of Clarissa Harlowe.

Although Mr. Murray was announced as appearing for the first time "on this stage" when he played Aimwell in Farquhar's *Beaux Stratagem* on March 20, it seems certain that this is the Walter Murray who on July 13, 1752, brought on the same play in which he may have acted the same part he is scheduled for eight years later. The "first time of his appearing on this stage" may merely refer to the fact that he had recently joined the Douglas company. Garrick's dramatic satire *Lethe* or *Aesop in the Shades* served as the afterpiece.

Lewis Hallam had the leading role in the *London Merchant*, when he played the apprentice Barnwell to his mother's Millwood, the coquette who leads the apprentice astray. This play and the following one, Mrs. Centlivre's *Busy Body*, were also in the repertoire of the Murray-Kean company. The fact that three performances in the repertoire of the Murray-Kean Company follow in succession the "first" appearance of Mr. Murray suggests that Douglass was accommodating his new recruit with plays already familiar to him. Perhaps Murray had chosen to remain in Annapolis, engaged in other pursuits until Douglass reclaimed him for the stage. The *Lying Valet*, the farce that concluded the evening's performance, had also been a favorite with the Murray-Kean com-

pany, serving as their afterpiece for the première performances in both Annapolis and Upper Marlborough.

The "tragedy (written by Dr. Young, author of *The Night Thoughts*) call'd *The Revenge* and a farce (by command) call'd *The Lying Valet*" provided the entertainment scheduled for Thursday, March 27, to be followed by Mrs. Centlivre's comedy *A Bold Stroke for a Wife* and Colley Cibber's pastoral farce *Damon and Philida* on Saturday evening, "Being the last time of acting 'til the Easter Holidays."

A first-page story credited as "From a late Boston Paper" also appeared in the *Maryland Gazette* of March 27. It bears evidence of the opposition to be encountered by players who would hope to perform in Boston and suggests that the piece was fathered by David Douglass in an attempt to soften the hearts of the opposition and make it possible for his company of comedians to invade the New England province where the laws against players were strictly enforced:

Sir,

The Gentlemen who had proposed to amuse themselves, and their Friends, by a Representation of a Play, wish the wise men of Boston to understand, that the piece they had made choice of for that Purpose, was, Mr. Addison's *CATO*, and that they are very sorry they should have been suspected to be promoters of *Vice, Impiety, Immorality, etc.* And as it was intended to have been introduced by the Original Prologue, a little alter'd, to adapt it to the Times, I send you a Copy thereof to insert in your next Paper.

PROLOGUE TO *CATO*, intended to be spoke in the Character of an Officer of the Army.

MARCUS of Rome, with martial Virtue fir'd but faintly shews how Briton's WOLFE expir'd; The Sword of Vengeance, He with Justice drew, Conquering He fell, for Liberty and you; Grief Joy, and Gratitude, together rise; And fill my Breast with Pain, with Tears my Eyes; — But Peace my Heart GREAT GEORGE triumphant lives, In Him, kind Heav'n a Conquering *CATO* gives, Not pent by Foes within a narrow Bound, But spreading conquests all the World around. AMHERST, to lead us on, again prepares, Peace to restore, and ease our Sov'reign's Cares: Oh! may Success, the gallant Leader crown, While you with Gratitude his Merits own.

In spite of the patriotism evident in the praise of General George Wolfe and General Jeffrey Amherst for their victories in the French and Indian War, the "wise men of Boston" remained stubbornly opposed to every effort of the players. As early as 1686 Increase Mather had attacked them, and the city fathers turned deaf ears to every subsequent request of the comedians. They even went so far as to pass a law in 1750 forbidding all secular entertainments, and Boston did not admit actors until after the Constitution had been adopted.

The playhouse was open again on April 7, when *Othello* was presented for the first time to a Maryland audience. David Douglass, who rarely played leading parts, essayed the title role to his wife's Desdemona; John Palmer was cast as Iago. Farquhar's *The Constant Couple* advertised in the *Gazette* of April 10 for "this present evening" provided a hilarious evening for the devotees of Sir Harry Wildair, played by Lewis Hallam. The evening concluded with the popular farce, *The King and the Miller*.

The benefit performances that generally signalled the close of an acting

season began on April 14 when *Richard III* in Cibber's version that focused on action and blood-letting served as the main piece at the benefit for Mr. Douglass; for John Palmer, Rowe's *Fair Penitent*; and for Mr. Murray, Otway's *Venice Preserved*. Mrs. Douglass chose for her benefit Vanbrugh's *The Provok'd Husband, or A Journey to London*, announced in the *Gazette* of April 17 as performed "This present evening." This promised to be a gala performance, for Mrs. Douglass would speak a mason's epilogue, and "The Fraternity" would "do her the Honour to walk in Procession and appear at the House in their proper Cloathing." Carey's farce *An Honest Yorkshireman*, another favorite of the Annapolis audience, would be an added attraction, and playgoers were directed to any of the three sources of tickets: "Mrs. Douglass, the Printing Office, the Bar of Mr. Middleton's Tavern", and they were assured that they could "depend on the Play's beginning at Half and Hour after Six o'clock." Since plays had previously been scheduled at six o'clock, this marks a change in time, probably the result of the lengthening spring daylight.

Lewis Hallam chose Young's *Revenge* for his benefit on April 19; Mrs. and Miss Dowthaitt shared the take from Farquhar's *The Beaux Stratagem* on April 22. On April 23 *The Orphan* was performed for the "Benefit of Miss Crane, and Comp." The "and Comp." suggests that Miss Crane, whose parts were small, might fail in attendance at her benefit without the support of the company, but Mr. Morris, a veteran player, claimed the sole benefit for *The Constant Couple*, advertised in the *Gazette* of April 24 for "This present evening," complete with the cast, which is the same as it had been when the play was advertised two weeks earlier.

A full night of entertainment was promised by the *Maryland Gazette* of May 1 for the same evening. To benefit Master A. Hallam "a Tragedy, written by the Reverend Mr. Hume [Home], call'd Douglass," was the main attraction. The play was barely four years old when it reached the Annapolis stage, and since it was unlikely that the audience would be familiar with the plot, the advertisement of the performance carried a hint of the story, in lines taken from Home's original prologue:

To-Night a Douglass your Protection claims,
A wife, a Mother, Pity's softest Names,
The Story of Her Woes, indulgent hear,
And grant your Suppliant all she begs, a Tear.

Mrs. Douglass was cast as Lady Randolph, the mother of Douglass, known as young Norval because he was brought up by the shepherd Norval who found him in the hills where as an infant he had been exposed by Sir Malcolm, his mother's father. His mother had married Lord Randolph, whose life young Norval saves, not knowing his lordship's identity. For his valor he is rewarded by a commission in the army, but he has an implacable enemy in Glenalvon, Lord Randolph's heir-presumptive. Young Norval is waylaid, slays Glenalvon, but is himself slain by Lord Randolph. When his identity is discovered, his mother in despair ends her own life. Originally played in 1756 at an unlicensed theater in Edinburgh, *Douglass* was refused by Garrick for Drury Lane, but found a ready audience at Convent Garden where the role of the romantic young Norval was

acted by John Barry, "six feet high, and in a suit of white puckered satin,"¹² to the Lady Randolph of Peg Woffington. The plot of the tragedy is based on the old ballad of "Childe Maurice," and although the Scotch Presbyterians of Edinburgh and Glasgow speedily denounced the author and his play, excommunicating not only Home but actors and audiences "and all abettors and approvers," the nation confirmed the sentiment of "the critic in the pit, whose voice was heard in the ovation of the first night, exultingly exclaiming, 'Weel, lads, what do ye think o' Wully Shakespear noo?'"¹³ *Douglass* held the stage well into the nineteenth century, when the American actor-dramatist John Howard Payne, famous for "Home Sweet Home," found Norval a sympathetic part and frequently played the ill-fated hero to ecstatic audiences.

When *Douglass* had its premiere showing in Maryland, Lewis Hallam, who played the starring role of Norval, spoke Home's original prologue and between the play and Fielding's farce the *Virgin Unmask'd* enacted "Hippesley's humorous Scene of a Drunken Man." Since he had no part in the tragedy, although it was played for his benefit, Adam Hallam made his contribution by "dancing" in the farce.

On May 8 Mrs. Morris was honored by a benefit when *The Jew of Venice*, or *The Female Lawyer*, "a comedy alter'd from Shakespeare by the Right Honourable the Lord Lansdown," was announced as "the Last play but one to be acted here." The author, called by Pope "Granville the polite," would seem to have been a writer by reason of boredom. A Tory driven out of office in government, he set himself the task of "improving" Shakespeare who, said his lordship's friends, furnished the rude sketches which were amended and adorned by Granville's new master strokes. Among these was the turning of Shylock into a comic character. Mrs. Morris took the role of Jessica in the comedy, and she also provided songs between the acts! To Garrick's *Lethe*, the musical farce that served as afterpiece, the players added "the new character of Lord Chalkstone, by Mr. Hallam," who played Shylock in the main offering.

The theater closed on May 12 with a benefit for Mr. Scott, which brought yet one more new play to the Annapolis audience: Edward Moore's didactic tragedy *The Gamester*, which exposes the vice of gambling through the weakling Beverly, lured to ruin and death by the villain Stukely. The original production at Drury Lane in 1753 starred Garrick as the weakwilled Beverley, and although the play had only moderate success at first showing, after it was revived and perhaps somewhat altered by Garrick himself, it met with wide response not only in England but also on the continent. Translated into French it had an important part in the development of the *tragédie bourgeoise*, and for many years remained a stock piece with the Douglas company. Robert Dodsley's first theatrical effort, *The Toy Shop*, served as the last word to what was a brilliant season that had lasted for more than two months.

As an afterword to their endeavors in Annapolis, the players provided a notice to the *Gazette* of May 15:

12. John Doran, *Annals of the English Stage or Their Majesties Servants*, 3 vols. (New York, n.d.), 2:170.

13. *Ibid.*, p. 177.

On Monday last the Theatre in this City was closed,
when the Tragedy of *The Gamester* was acted, for the
Benefit of Mr. Scott.

A lengthy Epilogue, addressed to the Ladies, was
spoken by Mrs. Douglass.

Ye gen'rous Fair, ere finally we part,

Accept the Tribute of a grateful Heart.

O'erlooking Faults, and Lib'ral of your Favours,
You've smil'd indulgent on our weak Endeavours.
Our wand'ring Theatre, o'erpaid and grac'd,
Now hails your Bounty and proclaims your Taste;
While all those Charms of Person, so refin'd,
Shine brighter, from the Splendour of your Mind.

Blush not to own you caught the noble Fire
Which high-wrought Scenes, and Tragic Strains, inspire,
Blush not, that for imaginary woes,
Your tender Bosoms heav'd with real throes.
Think, while those Tears in humid Lustre roll,
They testify Benevolence of Soul.

Those, flowing for heroic worth distrest,
Speak the rich Virtus of a Female Breast!

Shou'd Lovers sneer at these-Ah! Scorn their Suit!—

The worst of Coxcombs is th' Unfeeling Brute!

Nay-shou'd the formal Prude, in peevish Age,
Rail at the Comic Humours of the stage;

Then say-you're proud those Patterns to enjoy,
Who teach the world and rationally toy!

Say, that true mirth to vicious Minds unknown,
Is the just Claim of Innocence alone:

The editor concluded by listing plays given from March 3 to May 12. These he introduced with the excuse that "As the Theatrical Amusements are over for this Season, it may not be disagreeable to our readers to give them a list of performances here since the arrival of the company." Although only sixteen productions had been advertised in the *Maryland Gazette*, twenty-eight are listed, including four plays by Shakespeare: *Romeo and Juliet*, *Othello*, *Richard III*, and *The Jew of Venice*, but these were altered to conform to the taste of eighteenth-century audiences in England as well as in the colonies.

Warm as their reception was, the company faced many unforeseen obstacles during their first season in Annapolis. A severe snowstorm in March may have forced many potential theater-goers to remain at home, and from March 29 to April 7, the theater was closed in customary observance of Passion Week.¹⁴ Too, the company lost the services of the talented John Palmer, whose name appears for the last time as the recipient of a benefit.

The players hurried to Upper Marlborough in time to take advantage of the

14. The list of May 15 contains errors not so easily explained. For example, *The London Merchant* is listed for March 23 and *The Gamester* for May 11. Both dates fell on Sunday, a day when the theater was always closed.

crowds drawn to town by the races, having already heralded their approach by an announcement in the *Gazette* of May 15 under the ubiquitous words "By Permission of his Excellency the Governor." The day was set as "Thursday next, being the 22nd Instant," and the offering was Home's tragedy *Dougllass* and Garrick's dramatic satire *Lethe*. The cast was the same as that given for the May 1 performance in Annapolis, but there were additions to the entertainment. An occasional prologue was promised "by Mr. Hallam," and a special concession was made to persons who had come to the races from outlying communities: "For the conveniency of such Gentlemen and Ladies, who chuse to go home after the play, the company proposes to begin at IV o'clock." No prices were given for this performance, but succeeding advertisements offered seats in the pit for seven shillings six pence and in the gallery for five shillings: the same prices charged by the Murray-Kean company when it played in Upper Marlborough in 1752. Nor would the theater appear to have been enlarged, since no box seats were yet available.

The *Provoked Husband* and *Virgin Unmasked* were the attractions of May 26, when "tickets might be had of Mr. Benjamin Brooke, the local sheriff."¹⁵ Since John Palmer was no longer a member of the company, the part of Lord Townly was not taken over by Douglass, and the part of John Moody, formerly played by Douglass, was given to Murray. On June 2 *The Beaux Stratagem* and *Miss in her Teens* were the attractions, and on June 9 *King Richard III* and *The King and the Miller*.

The Reverend Andrew Burnaby, returning to his church in Annapolis from a visit to his friend George Washington, inspected the theater in Upper Marlborough during the time that the players were in town. In his *Travels through The Middle Settlements in North America*, Burnaby recorded his short stay in the thriving community.

At colonel Washington's I disposed of my horses, and having borrowed his curricule and servant, I took leave of Mount Vernon the 11th of June [1760]. I crossed over the Potomac into Maryland at Clifton's ferry, where the river is something more than a mile broad; and proceeded on my journey to Marlborough, eighteen miles. I here met with a strolling company of players, under the direction of one Douglass. I went to see their theatre, which was a neat, convenient tobacco-house, well fitted up for the purpose.¹⁶

As the performances in Upper Marlborough were offered only once a week, Burnaby arrived too late for the June 9 performance of *Richard III* and too early for the players' next efforts, Young's *Revenge* and Coffey's *Devil to Pay*, which the *Maryland Gazette* announced for June 16.

A week later, Moore's *Gamester* was the main attraction. Mr. Sturt, about whom there is no additional information, appeared as Bates, a minor character role such as he continued to play during the next several years of his association with the company. Whether Sturt was a stage-struck Marylander or a graduate of the Jamaica revels remains an unanswered question. The evening perform-

15. Rankin, *Theatre in Colonial America*, p. 89, suspects that Benjamin Brooke, the local sheriff, may have sold tickets as "a method of collecting debts owed by the actors".

16. (2nd ed., London, 1776), p. 64.

ance closed with Garrick's farce *Lethe*, for which the players announced "The characters of the fine gentlemen and Mrs. Riot, which were omitted in the last representation May 22, will be performed by Mr. Hallam and Mrs. Douglass."

The cast of each of the principal offerings is provided in the *Gazette*, and the last performance, advertised on June 26 for July 1, is of special interest. It provides the first cast for *Romeo and Juliet* given in Maryland and puts in the title roles Mrs. Douglass as Juliet and her son Lewis as Romeo. The tragedy is advertised

with the
Funeral Procession of Juliet
to the
Monument of the Capulets
and a
Solemn Dirge:
As performed at the Theatre Royal in Covent-Garden

With this show of authority, the players left Upper Marlborough, after their season of six weeks. They had advertised seven performances: the first for Tuesday night, the next five for Monday nights, and the last for Tuesday night. They had not repeated a major offering, although two after-pieces were given twice each: *Lethe* and *The King and the Miller*.

The Maryland Tour, beginning in Annapolis on March 3, 1760, and ending in Upper Marlborough on July 1, had been the longest stand of an acting company so far in the colonies. There is no further record of Maryland performances by Douglass and his troupe until their return to Annapolis in 1770. Meanwhile the company was busy in Williamsburg, Newport, New York, Charlestown, and Philadelphia, recruiting actors, building new theaters, and bringing the magic of make-believe to other inheritors of the new world.

The Development and Decline of Dorseys Forge

JOHN W. MCGRAIN

IN 1761 CALEB DORSEY, IRONMASTER (1710-71), ALREADY PART OWNER OF Elkridge Furnace, bought a large tract called Taylors Forest stretching along the Rolling Road from present Catonsville almost to Patapsco River; the same year he also acquired the river frontage, a 375-acre tract called Long Acre, from John Owings. At first he used the tracts for timbering and possibly for charcoal burning, and then built a forge at the southeastern end of Long Acre. At the time of his death in 1772, the inventory showed him worth £10,000, and owner of both a forge and furnace that passed to sons Edward and Samuel.¹ According to Martha Ellicott Tyson, the only iron tools made in Baltimore County were crowbars produced at Dorseys Forge "named Avalon," and all other tools were "regularly imported."²

The industrial weakness of the colonies, long held in check by the British mercantile system, was all too evident when the drift toward revolution began. America had one-seventh of the world's iron-making capacity but was insufficient in manufactured goods. One of the many people to come forward with plans for self-sufficiency was the Irishman, William Whetcroft, silversmith of Annapolis.³ In October 1775 Whetcroft won a contract from the Council to manufacture muskets.⁴ That December he proposed to the convention the importation, at his own expense, of enough gunsmiths from his native Cork to produce fifty stands of arms per week, working toward a total of 6,000 weapons.⁵

The same month Whetcroft "in contemplation of the many advantages that might accrue to the State from the erection of a mill for the purpose of sheeting and slitting of Iron did exhibit a memorial to the convention held in the month of December 1775 requesting that a sum of money be advanced to enable him to erect the same without detriment to his private fortune."⁶ Some £600 in bills of credit were voted by the assembly for Whetcroft to build the works within twenty miles of Baltimore Town or at any other place of their selection.

Whetcroft entered a verbal agreement with Edward and Samuel Dorsey to lease two acres at Dorsey's ironworks on the Patapsco. The works was supposed

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1. Bayly Ellen Marks, *Hilton Heritage* (Catonsville, 1972), p. 4.

2. Martha Ellicott Tyson, *Settlement of Ellicotts Mills* (Baltimore, 1871), p. 7.

3. J. Hall Pleasants and Howard Sill, *Maryland Silversmiths 1715-1830* (Harrison, N.Y., reprinted, 1972), pp. 74-76.

4. *Archives of Maryland*, ed. William H. Browne et al., 70 vols. (Baltimore, 1883-), 11:84.

5. Executive Papers, Box I, 28, Hall of Records (hereafter H.R.).

6. Copy of Act of 1779, in Chancery Papers, Robert Dorsey vs. William Whetcroft, H.R.

to be in operation within five months, but J. Leander Bishop stated that it was not productive until 1778.⁷ Samuel Dorsey died in 1777, and Edward Dorsey, nicknamed "Ironhead Ned," refused to execute a written lease, stating that he had been a minor at the time his brother made the verbal agreement. Whetcroft petitioned the assembly for relief.

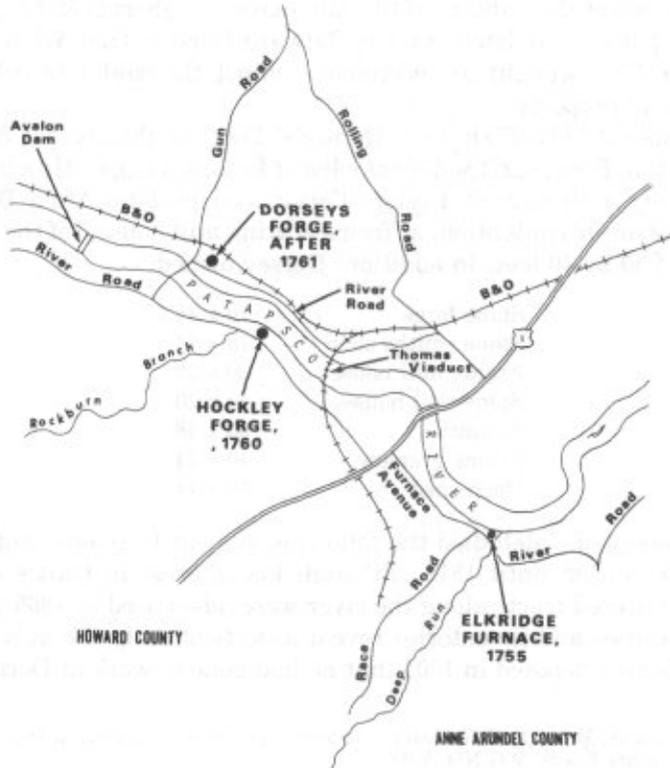
The General Assembly in 1779 passed an act forcing Dorsey to grant the lease; the bill noted that Whetcroft had spent £1700 of his own gold and silver in completing the slitting mill, a dwelling, and other convenient buildings — a typical colonial slitting mill should have cost about £1200.⁸ Dorsey executed the lease in January 1780 and agreed to raise the dam a foot higher than it had stood in 1776, using "sound logs and gravel," and dig a race 30 feet wide by 5 feet deep to the slitting mill. Whetcroft agreed to buy all his bar iron from Dorsey "at the then selling price at the works of the Baltimore Company" and would not operate to the prejudice of Dorsey's forge or gristmill.⁹

The next month, February 29, Whetcroft advertised in the *Maryland Gazette* for a partner-manager, who should make application to William Hammond at

7. John Leander Bishop, *History of American Manufactures*, 3 vols. (Philadelphia, 1861-68), 1:592ff.

8. Act of 1779, *ibid.*

9. Baltimore County Deeds, WG No. D:541.



Location of Dorseys Forge. Map drawn by N. Gwendolyn Tillery.

Hockley Forge. Evidently the ad brought results, for the new partnership of Whetcroft and M'Fadon advertised in the *Gazette*, September 1, 1780, that they had reopened the slitting mill at Patapsco Falls and offered sheet iron, rods, and slit iron. The Dorsey works was shown as "Moulin" in a sketch by Rochambeau's engineer for the French camp of September 14, 1781.¹⁰

Four years after the war, the sheriff of Baltimore County, William McLaughlin, seized the slitting mill from Alexander McFadon for unpaid taxes and sold it at public auction to Samuel Godman, merchant of Anne Arundel County, for £25.¹¹ Godman sold late that year (1785) to Edward Dorsey. Various disputes and suits over the works arose and outlived the principals themselves, both of whom died in 1799, and were carried on by the Whetcroft and Dorsey sons. William Whetcroft, Junior, claimed that his father had never received any profits from partner McFadon. But Whetcroft had apparently not lost his shirt in defense contracting, for he appeared placid and well dressed in 1789 when painted by Charles Wilson Peale.¹²

In a later court action, Robert Dorsey's bill of complaint stated "that the said slitting mill lay entirely useless for several years after Edward Dorsey purchased her: That after the Federal Government was established and the duties laid on foreign goods made the manufacture of Iron an object, the said Edward Dorsey rebuilt the mill at a Considerable expense: That the said Whetcroft suffered the said Dorsey to rebuild the mill and never gave him any notice that he meant to contest the validity of the sale made by [Sheriff] McLaughlin until the mill was put in completed order by Edward Dorsey: That Whetcroft in the year 1792, or 1793 brought an ejection against the said Edward Dorsey to recover the said property"¹³

Griffith's map of 1794-95 showed "Dorsey's" Forge at the present Avalon area of Patapsco State Park, and the 1798 tax list of Patapsco Upper Hundred charged Edward Dorsey with part of Taylors Forest, occupied by Allen Dorsey, and included that bone of contention, a "frame slitting mill house," of the sumptuous dimensions of 30 by 40 feet. In addition, Dorsey owned:

Stone forge	70 x 45
Stone smiths shop	18 x 14
Frame mill house	20 x 20
Stone coal house	20 x 20
Sawmill	60 x 18
Frame granary	40 x 14
Open shed	50 x 14

Edward Dorsey of Caleb died the following year at forty-one, but his estate was not fully settled until 1815, although his interest in Curtis Creek Iron Works and scattered tracts along the river were advertised in 1800-1803. Written interrogatories and inventories reveal aspects of daily life at a forge complex. Allen Dorsey deposed in 1804 that he had gone to work at Dorseys Forges

10. Catonsville *Argus*, March 8, 1967, "Interstate-95 Bridge Crosses Patapsco at Point of History."

11. Baltimore County Deeds, WG NO. V:511.

12. Pleasants and Sill, *Silversmiths*, opposite p. 67.

13. Chancery Papers, Robert Dorsey vs. William Whetcroft, 1803, H.R.

on May 17, 1787, and "At that time there were two Negroes belonging to Edward H. Dorsey, a Negro man called Prince, who was a forgerman, and a Negro man called Sam who was a striker in a Blacksmith shop."¹⁴ Other skilled slaves were: Guy the Waggoner, Long Charles (fineryman), Old Charles (miller), Joe (blacksmith), Boy Jim (forgerman), Dick (forge carpenter), and Yellow Will (forgerman).

The leather-loft contained fifty-three pair of "negro dble soled shoes" worth £20. The 1799 inventory was made out in British terms (pounds, shillings, and pence), whereas the 1804 list was in dollars and cents. The grist mill contained a wheat fan, old millstone, tools, lumber, seven tons of plaster of Paris, two pair of pigeon scales, and some old wrought-iron forge hammers. Also inventoried were 70 pounds of spikes and 250 pounds of nails, two old coal wagons, 420 loads of coal (i.e., charcoal) in coal house, and 900 cords of wood for coal in the woods, five tons of forge plates, and four tons of bar and rolled iron. Other facilities mentioned were a cider mill, still house, iron house, wheelwright's shop, shoemaker's loft, finery shaft, and "21 anchains (?), 1 new anvil & 46 W Plates" that were worth £18.

The 1806 list showed a coal house, 70' × 30', not enumerated eight years before. The slitting mill was now called "old," and the main works were more clearly described as "1 Forge with three fires, three fine wheels, two hammer wheels, and two hammers, sixty feet by forty five."

In 1815, following one of those family lawsuits so popular in Maryland history, the property was ordered sold by the High Court of Chancery; highest bidders for the forge site were Benjamin and James Ellicott of the famous Quaker milling family. The two Ellicotts in 1819 sold a $\frac{5}{7}$ th interest to Jonathan, Elias, George, Andrew, and Thomas Ellicott.¹⁵ The census of 1820 showed that the colonial works had undergone considerable expansion. Unfortunately, two Evan T. Ellicott and Co. ironworks were combined in the same statistics, one seven miles from town (presumably at Dorsey's) and the other ten miles (at Ellicott City). The two plants had "4 rolling mills, 6 pair rollers with the necessary furnaces," twenty-four patent nail machines with other modes for making nails. Employment was fifty men and thirteen boys; capital investment \$220,000. The combined works consumed 500 tons of bar iron and 300 tons of scrap annually to produce \$120,000 in bar iron, sheet iron, boiler plates, nail plates, nails, and brads. The Ellicotts commented that profits had fallen below 6 percent of the capital employed.

When Avalon Company was chartered in December 1822, the various partners conveyed their one-seventh shares to the firm.¹⁶ The act of incorporation seems to make the earliest use of the name "Avalon," for the name Dorseys Forge had appeared in every deed before 1823. "Avalon" was not the name of the land on which the works stood and is apparently a contribution of the Ellicott family.

Somewhere the belief sprang up that Dorsey's Forge had been a cannon works, supplying the Revolutionary army. The name of Gun Road, a route leading from Rolling Road to the Avalon area of the park, helps to foster the

14. Chancery Papers No. 4242, H.R.

15. Baltimore County Deeds, WG 163:110.

16. Baltimore County Deeds, WG 166:229.

idea. However, ordnance equipment was not the end product of a slitting mill; such a works used waterpower to slice bar iron into useful forms, for example, fairly thin plate that could be cut and headed by hand into wrought-iron nails. The late Thomas L. Phillips wrote that the real Gun Road survives as that stretch of River Road running past the old Baltimore County Water and Electric Company pumping station toward Thomas Viaduct.¹⁷ That account cites the dubious legend that George Washington built the road to move troops and artillery from Frederick to the Yorktown front. Whetcroft's musket making took place at his goldsmith and jewelry shop on West Street in Annapolis rather than at Avalon. "Gun Road" is apparently a recent concoction; the name was "Avalon Forge Road" in a deed of 1891.¹⁸

Samuel Dorsey before his early death had contracted to supply swivels and twenty-four pound cannon for the council, but the letters from that body in 1777 were addressed to him and John Onion at Elk Ridge.¹⁹ The Elkridge Furnace was a more likely site for casting cannon than a forge. On the other hand, Samuel Dorsey was furnished with "one Provincial Bayonet of a large size for a patent" by the commissary of stores in Annapolis in June 1776; the bayonets could well have been made at Dorsey's Forge.²⁰ One historian does state, however, that "Samuel Dorsey of Caleb ran the forge during the Revolution and supplied guns and cannon for home defense."²¹

The inventory of Ironhead Ned Dorsey would suggest that he was manufacturing nails and spikes well before the Ellicotts went into large-scale mechanized production. Before acquiring Dorsey's Forge, the Ellicotts had an ironworks "next to Smith's tanyard" at Ellicott City on the Baltimore County side. *Niles Weekly Register* reported on November 12, 1814, that there was "a machine at Ellicott's Mill that cuts (please observe, I do not say *will cut*, but *cuts*) twelve hundred nails in one minute, more perfect than any heretofore finished." But however large the Avalon Iron Works became in the nineteenth century, it was clearly a natural outgrowth of the Dorsey plant, even if all of the buildings of 1798 had vanished by the time the works reached its peak.

Alexander's 1840 report on iron manufacture listed thirty employees and 150 horses, mules, and oxen.²² The works expanded to include the making of hoops and sheet iron, and rails were rolled for the B. & O. in 1848. The old nail factory burned down in 1845 and was rebuilt in 1850 when the plant was sold to John McCrone and Company. The 1850 census listed McCrone at Avalon Iron and Nail Works with \$105,000 capital, 140 hands, and water-powered production of 40,000 kegs of nails worth \$140,000, made from 2,000 tons iron. The new works was pulled down in 1854 and rebuilt with seven puddling furnaces, three trains of rolls, and forty-four nail machines, all driven by steam. Output in 1856 reached 44,000 kegs.²³

17. Thomas L. Phillips, *The Orange Grove Story* (Washington, D.C., 1972), p. 34.

18. Baltimore County Deeds, JWS 182:441.

19. *Archives of Maryland*, 16:275. Also, Harry Wright Newman, *Anne Arundel Gentry* (Annapolis, 1971), p. 189ff.

20. *Archives of Maryland*, 11:535.

21. J. D. Warfield, *Founders of Anne Arundel and Howard Counties, Maryland* (Baltimore, 1905), p. 310.

22. J. H. Alexander, *Report on the Manufacture of Iron* (Annapolis, 1840), p. 90.

23. Joseph T. Singewald, *Report on the Iron Ores of Maryland* (Baltimore, 1911), p. 173ff.

On Robert Taylor's 1857 map of Baltimore County, the "Avelon" works was shown as the property of Messrs. Manning and Co., which was identified as James C. Manning and Company in Singewald's history. J. L. Bishop listed Elijah Spurrier as superintendent in 1861.²⁴

A trustee's sale notice in the *Baltimore County Advocate* of June 11, 1864, offered Joseph C. Manning's half interest in "Avalon Nail and Iron Works, Now a Rolling Mill . . . for \$1800 annum . . . 200 acres. Improvements are a Rolling Mill, a building formerly a nail factory, mill, stone pattern house, cooper shop, stone store, large number of tenements . . . the whole used at present as a rolling mill . . . 22 feet tall." An illustration of the works at its zenith appears on the cover of the March 1965 *Maryland Historical Magazine*. The view shows Thomas Viaduct in the distance and two long buildings parallel to the river, surrounded by outbuildings and stone dwellings, two of which survive.

The Avalon Nail and Iron Company was incorporated in the 1850s, and J. Hugh Stickney was elected president, but sold his interest before the company's disaster.²⁵ The 1869 bird's eye view of Baltimore by E. Sachse showed a cut of the Avalon plant on its borders, but between the time of making the drawing and its publication, the Avalon works had been struck by the flash flood of July 24, 1868, and so thoroughly devastated that it was never returned to production. The lithograph had labeled it the property of H. L. Brooke and Co., also owners of the equally unlucky Elkridge Furnace.

Avalon's buildings dwindled away, and only a few houses and a small Roman Catholic Church appeared in Bromley's atlas of 1898. However, in 1910 the Baltimore County Water and Electric Company repaired the Avalon Dam and built a brick pump house to supply water to the city; that enterprise ended in 1926.²⁶ The classic pump-house buildings survive on the old race, on the north side of River Road, just east of the Gun Road bridge — visible from the I-95 bridge — and are easily mistaken by overly eager industrial archaeologists as the true remains of Avalon Iron Works. These buildings were added to Bromley's atlas of 1915 and labeled as "pumping station."

The pump houses served as shelter for the CCC camp participants in the great depression of the 1930s. Finally, Avalon Dam was totally bypassed by the river in June 1972 when the Patapsco cut a new path around it to the north. The dam is now standing as high and dry as Ozymandias, impounding no water at all, and only the tourist industry flourishes in that part of the valley.

It might help, in conclusion, to distinguish between Dorsey's Forge and its neighbor industries; Dorsey's was on the north bank of Patapsco in Baltimore County. About 0.5 mile downstream on the south, or Howard County, bank, was Hockley Forge, never a furnace, founded by Charles Carroll, Esq., and Company in 1760; if Caleb Dorsey, Ironmaster, served as contractor in its construction, he was not a partner. Hockley Forge was the property of Christopher Johnson on the 1798 tax list, and John Wright was tenant; just downstream of Rockburn Branch the plant had a gristmill, slitting mill, and nail factory to

24. Bishop, *Manufactures*, 3:569.

25. George W. Howard, *The Monumental City* (Baltimore, 1880), p. 751.

26. *Catonsville Times*, June 27, 1968, "River of History; the Patapsco Valley."

rival Edward Dorsey's. After Johnson's death, the property was divided in 1822.²⁷

Still farther downstream, east of Elkridge and east of present Washington Boulevard (U. S. 1), was Elkridge Furnace, a plant for melting ore to make pigs suitable for further working at a forge. This plant was founded in 1755 by a partnership that included Alexander Lawson, Caleb Dorsey, and Edward Dorsey. One of the few production statistics of colonial Maryland ironworks is the note in a legal proceeding dated October 15, 1766, where it is stated, "The amount of iron made at Elk Ridge Furnace from 1761 to 1766 per Exhibit D4 . . . 2974 tons."²⁸ Successor enterprises operated here until the great flood of 1868 struck while the stack was full of molten iron. A substantial ruin stood in 1911 but today only a low mound survives.²⁹ The site was near the south bank of Patapsco, Howard County side, a little west of Deep Run and north of the present intersection of Furnace Avenue and Race Road.

27. Anne Arundel Deeds, WGS 9:277.

28. Chancery Papers No. 4549, H.R.

29. Singewald, *Iron Ores*, opposite p. 164.

Maryland and the American West at Independence

LEMUEL MOLOVINSKY

IN 1776 MARYLAND PROPOSED THAT THE WESTERN LANDS BEYOND THE Appalachians be the common domain of all the states and in the future be carved into additional republican states. Over a hundred years later, the historian Herbert Baxter Adams asserted that Maryland's position was farsighted and patriotic.¹ However, since 1917, when Clarence Alvord's extensive study of the West in the colonial period was published,² historians have cast doubts upon Adams's view. Critics have argued that Maryland's position was the result of the self-interest of certain key politicians. But a re-examination of Maryland's colonial history reveals significant data which have either been underemphasized or overlooked by historians. Furthermore, a closer look at western speculators, traders, and settlers from other colonies attests to the pervasiveness by the time of Independence of an American experience with the West which helped shape Maryland's attitude, and underscores the prescience of Maryland's position on the proper disposition of the region beyond the Appalachians.

The interpretation which later precipitated debate among historians was first proposed in a monograph entitled *Maryland's Influence Upon Land Cessions to the United States*. Adams argued that Maryland was concerned about the issue of equity in an American union in which the large states, because of royal charters that extended their boundaries to the Pacific Ocean, maintained vast imperial domains in the West, while other states, such as Maryland, had charters with no such grants. Furthermore, he pointed out that Maryland's proposal that the western lands be for the common good rather than for the particular gain of a few states was the precursor of the Ordinance of 1784, which provided for the addition of new republican states to the union on an equal basis.

Alvord's survey found self-interest, rather than concern for the union, to be the basis of Maryland's position. He discovered that during the colonial period provincial rivalry between Virginians and individuals in the middle colonies of Maryland, Pennsylvania, and New Jersey, dominated their respective attitudes about the West. Virginia with charter claims to the entire Ohio Valley took an early lead in its exploration, the development of its trade, and promoting large-

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1. Herbert Baxter Adams, *Maryland's Influence upon Land Cessions to the United States*, Johns Hopkins University Studies in Historical and Political Science, 1, third series (Baltimore, 1885). For similar views see Edward Delaplaine, *Life of Thomas Johnson* (New York, 1927), pp. 364-71; Esther Mohr Dole, *Maryland During the American Revolution* (Baltimore, 1941), pp. 227-28, 251.
2. Clarence W. Alvord, *The Mississippi Valley in British Politics*, 2 vols. (Cleveland, 1917).

scale speculative schemes for its settlement. However, individuals from the middle colonies contested Virginia's exclusive right to the area's trade, and also established rival land companies. By 1776 this dispute between the colonies over the West had become increasingly bitter.

Merrill Jensen's more recent studies³ of the Revolutionary period supported Alvord's theme of provincial rivalry in the West and specifically examined Maryland's call for a common domain in the light of that dispute. Indeed, the point of greatest conflict during the Revolution in regard to the proposed union of the states was the issue of whether the states or Congress should control the West. This controversy developed when the state of Virginia invalidated land purchases of rival land companies, asserted complete control of the area north and west of the Ohio River, and was immediately contested by competing land companies and the state of Maryland, who called for Congressional control of the West. Jensen argued that the similarity of the positions of the companies and Maryland was due primarily to the fact that several of the most influential men in Maryland politics—Samuel Chase, Charles Carroll of Carrollton, and Thomas Johnson—were members of land companies and that through Congressional control of western lands they hoped their land company purchases would be upheld despite Virginia's claims. Hence, according to Jensen, Maryland's position that the West be under Congressional control was influenced by the self-interest of western land speculators within the state.

This explanation of Maryland's self-serving motives on western lands has become the standard viewpoint. Yet it is a theory which needs to be qualified. An examination of the records of the Illinois and Wabash Land companies, in which Marylanders possessed shares, discloses that six (not three as Jensen counts) Marylanders were members—Samuel Chase, Charles Carroll of Carrollton, Thomas Johnson, Robert Goldsborough Jr., Daniel Hughes, and John Davidson. Of the six shareholders, only three—Chase, Carroll, and Goldsborough—were initially members of the Maryland convention that called for Congressional control of the West.⁴ While it is true that Chase and Carroll were leaders of considerable influence within their party and thus in the convention,⁵ there were seventy delegates elected to the Maryland convention and fifty-seven present on October 30 when it was resolved unanimously that the West be established as independent states. Furthermore, voting on other issues during the convention was often divided, with Chase and Carroll frequently on the losing side.⁶ Thus Maryland's position on the western lands cannot be construed

3. Merrill Jensen, "The Cession of the Old Northwest," *Mississippi Valley Historical Review* 23 (June 1936): 27-28; Merrill Jensen, *The Articles of Confederation* (Madison, 1940). For similar views see Thomas Perkins Abernethy, *Western Lands and the American Revolution* (New York, 1959), pp. 170-72.

4. Illinois and Wabash Land Company Minutes, 1778-1812, Historical Society of Pennsylvania. Hereafter cited as HSP. Thomas Johnson was subsequently elected to the convention after its initial meeting, and Robert Goldsborough, Jr., was not present on October 30. Consequently, only three members of the convention represented land companies.

5. Ronald Hoffman, *A Spirit of Dissent, Economics, Politics, and the Revolution in Maryland* (Baltimore, 1973), pp. 113, 117.

6. *Proceedings of the Convention of the Province of Maryland* (Baltimore, 1836), p. 293. For other votes adverse to Chase and Carroll, see pp. 193, 195, 259, 278, 302, 332.

as simply the result of narrow self-serving land speculators controlling the convention to benefit their private interests.

Consequently the question of why Maryland was so concerned over the future of the western lands at the time of Independence remains unanswered. A brief survey of Maryland's colonial experience with regard to its precarious existence as a distinct colony, its inferior position to Virginia, its proprietary land system, and its scarcity of surplus land offers an explanation.

From Maryland's very inception, Virginia challenged her existence as a separate colony as contrary to Virginia's original land grant. When the first Maryland settlers arrived in 1633-34, they quickly clashed with William Claiborne of Virginia. During the Commonwealth period there were repeated reports that Maryland would lose her charter, and Governor William Berkeley of Virginia settled Virginians at the mouth of the Susquehanna River in direct violation of Maryland's boundary. Maryland petitioned Parliament pleading against reincorporation with Virginia.⁷

Although Maryland escaped union with Virginia, the colony was constantly aware of its comparative inferiority, in size and resources, to its southern neighbor. In 1691, for example, in response to a Crown call for 150 men from each of the Chesapeake colonies for imperial defense, Maryland pointed out that Virginia was four times as populous and as wealthy.⁸ Hugh Jones's *The Present State of Virginia*, first published in 1724, further served to increase Maryland's insecurity as well as amplify Virginia's pride with its glowing descriptions of the Chesapeake as a whole in contrast to Maryland's inferior position.⁹

Maryland's inferiority was aggravated by the colony's peculiar land system, which placed it at a disadvantage in attracting new settlers. Unlike most North American colonies, Maryland's land was distributed by the Proprietor through a complicated system of surveys and title transfers. In each county, two proprietary manors and reserves were set aside for the exclusive use of the Calvert family.¹⁰ Thus the prospective settler experienced a longer and more costly wait for a clear title than in other colonies. Furthermore, Frederick, the last proprietor of Maryland, periodically recommended increasing the price of land. Governor Horatio Sharpe warned him that this would be unwise and would cause many to leave Maryland for the Ohio Valley.¹¹ Indeed, many German immigrants moving south from Pennsylvania avoided Maryland and were attracted by the generous offers of abundant land at reasonable prices in Virginia.¹²

Another problem in luring settlers to Maryland was the scarcity of surplus

7. Newton Mereness, *Maryland as a Proprietary Province* (New York, 1901), pp. 12-16; Bernard Steiner, *Maryland Under the Commonwealth* (New York, reprint ed., 1971), pp. 49-50, 61.

8. Herbert Levi Osgood, *American Colonies in the Eighteenth Century*, 4 vols. (New York, 1924), 1: 373.

9. Hugh Jones, *The Present State of Virginia* (Chapel Hill, 1956), p. 104.

10. Clarence Gould, *The Land System in Maryland, 1720-1765*, Johns Hopkins University Studies in Historical and Political Science, 31, no. 1 (Baltimore, 1913), pp. 9-27. Also see Mereness, *Maryland as Proprietary Province*, pp. 50-54.

11. Paul H. Giddens, "Land Policies and Administration in Colonial Maryland, 1753-1769," *Maryland Historical Magazine* 28 (June 1933): 146. Also see Mereness, *Maryland as Proprietary Province*, p. 94.

12. Gould, *The Land System in Maryland*, pp. 57-58.

land. In 1754 Governor Sharpe informed the Proprietor that in respect to erecting manors, "there is not remaining a Tract of land . . . extensive enough to answer that purpose, in any part of the province except in Frederick County near the Frontiers . . ." ¹³ While there was engrossing of lands in western Maryland by a number of speculators, which accounted for some of this scarcity, the small size of the province's frontier lands limited the amount of economic opportunity for all. By the end of the colonial period Maryland had so little land available for settlement that the number of landless men within the colony had risen to 40 percent. ¹⁴

When the dispute between Britain and the colonies led to the Declaration of Independence and Congress called on the states to recruit an army by means of a land bounty, Maryland raised the issue of available lands in Congress. The state maintained that it had no surplus land. It also expressed fear of the consequences if a few states possessed vast tracts of unsettled land.

On September 16, 1776, Congress asked each state to provide a bounty of \$20 for every soldier recruited within its boundaries. In addition, all commissioned officers were to receive between 150 and 500 acres of land depending upon their rank, and all noncommissioned officers and soldiers 100 acres of land. The lands were to be provided by the United States, and whatever expenses were necessary for their purchase were to be paid by the states in proportion to other expenses of Congress. ¹⁵

On October 9 the Maryland convention noted the plight of the state concerning available land for the proposed bounty. Maryland could not comply with the terms of the land bounty because there were no lands belonging exclusively to the state, and the purchase of land for the army would be more expensive than the state could afford to pay. ¹⁶

After receiving word that Congress would not accept Maryland's alternative offer of an additional \$10 bounty in lieu of the land offer, ¹⁷ on November 9 the Maryland convention maintained that it would remain firm on the issue of not providing bounty lands. Furthermore, the state expressed fear of intimidation from larger states, such as Virginia. The convention declared that:

. . . some of the states may, by fixing their own price on the land pay off what of their quota of the public debt they please, and have their extensive territory settled by the soldiery of the other states, whilst this state and a few others must be so

13. Governor Sharpe to Lord Baltimore, May 2, 1754, in *Archives of Maryland*, ed. William H. Browne *et al.*, 70 vols. (Baltimore, 1883-), 6:52.

14. David Curtis Skaggs, *Roots of Maryland Democracy* (Westport, Conn., 1973), pp. 39-50.

15. Worthington C. Ford, ed., *Journals of the Continental Congress*, 34 vols. (Washington, 1909), 5: 762-63. Also see Peter Force, ed., *American Archives*, ser. 5, 3 vols. (Washington, 1853), 3:53-54.

16. *Proceedings of the Convention of the Province of Maryland*, pp. 272. Also Force, *American Archives*, ser. 5, vol. 3, pp. 120-21; *Calendar of Maryland State Papers*, number 4, part 1, *The Red Books* (Annapolis, 1950), pp. 50-51. Hereafter cited as *Maryland Red Books*. For a discussion of the issue see Jean H. Vivian, "Military Land Bounties During the Revolutionary and Confederation Periods," *Maryland Historical Magazine* 61 (September 1966): 238-39.

17. President Hancock to Maryland Convention, November 4, 1776, *Maryland Red Books*, number 4, part 1, pp. 54-55.

weakened and impoverished, that they can hold their liberties only at the will of their powerful neighbors.¹⁸

Congress did not press Maryland for compliance, however, and the controversy temporarily subsided.

But a proposal to limit the boundaries of the states, which Maryland supported, proved to be far more controversial in 1776 than the bounty issue. Here too Maryland raised the question of the consequences if a few states possessed large tracts of land, and Maryland proposed a solution to the problem. In July Samuel Chase, a Maryland delegate to the Continental Congress, supported a clause in the Dickinson draft of the Articles of Confederation which would have limited the boundaries of the states claiming grants all the way west to the South Sea [the Pacific].¹⁹ In the heated debate over the future of the West, Thomas Jefferson of Virginia proposed an amendment that nullified Chase's provision for a Congressional limitation on the possession of western lands.²⁰ Chase replied that no state had a right to go to the South Sea, and Congress quickly divided on this point.²¹

Several months later, on October 30, the Maryland convention, revealing its traditional fear of its neighbor to the south, expressed opposition to Virginia's militant attitude about the West, called for a limit to the boundaries of the existing states, and advocated the establishment of new states. The convention declared:

That it is the opinion of this convention, that the very extensive claim of the state of Virginia to the back lands hath no foundation in justice, and that if the same or any like claim is admitted, the freedom of the smaller states and the liberties of America may be thereby greatly endangered; this convention being firmly persuaded, that if the dominion over these lands should be established by the blood and treasure of the United States, such lands ought to be considered as common stock, to be parcelled out at proper times into convenient, free and independent governments.²²

Thus Maryland not only challenged the right of large states to maintain large imperial domains—a dispute which would last far beyond 1776—but also proposed a constructive plan for the development of the West.

However, the most significant aspect of Maryland's 1776 position was that it was reflective of American colonial experience and foreshadowed the future of the West. A brief examination of some of the colonial speculators, traders, and settlers who were enamored of the richness of the West and saw it as a place for

18. *Proceedings of the Convention of the Province of Maryland*, p. 372. Also see Papers of the Continental Congress, National Archives Microfilm Publications, no. 247, roll 84, item # 70.

19. Dickinson Draft presented to Congress July 12, 1776. See *Journals of the Continental Congress*, 5: 546–55.

20. *Ibid.*, 6: 1076.

21. *Ibid.*

22. Force, *American Archives*, ser. 5, vol. 3, p. 134; Matthew Page Andrews, *History of Maryland: Province and State* (New York, 1929), pp. 349–50.

distinct governments illustrates contemporary perceptions of the territory west of the Appalachians.

As early as 1713 a Welshman named Price Hughes traveled through the lower Mississippi Valley and proposed a new colony. Captivated by the enormous abundance of the West, but incensed by the growing French menace, he proposed that a colony be established in the lower Mississippi River valley. Although the initial settlement was to remain under the Carolina government, whose charter extended to the South Sea, eventually a separate colony would be established, called Annarea. While the scheme never materialized, it was the first serious proposal for a new colony in the West.²³

Almost forty years later Benjamin Franklin maintained that the West was the key to the future greatness, wealth, and power of the American Empire.²⁴ In his "Observations Concerning the Increase of Mankind (1751)" Franklin noted that the population of America grew at a faster rate than Europe and that the rate of demographic increase was even greater in the West.²⁵ An avid imperialist, Franklin also believed that vigorous action by the British would not halt French encroachments, but would make Canada British.²⁶ Franklin coupled his vision of the West's potential and the desirability of excluding the French from North America with a plan for erecting new commonwealths there. New colonies would promote English settlement at the expense of the French and also develop the richness of the land.²⁷ Although Franklin later became involved in western land speculation,²⁸ the significance of his ideas cannot be dismissed solely on the basis of land speculation. Franklin had a clear perception of the West's potential long before his involvement with land companies.

Less famous than Franklin was the speculator and trader George Croghan. In his private journal Croghan made numerous references to the bounty of the West.²⁹ On February 25, 1766, he stated that "The Illinois Country far exceeds any other part of America I have seen as to soil and Climate."³⁰ Although he was an active member and promoter of a number of speculative land companies,³¹ Croghan's private correspondence with other speculators reveals a genuine excitement over the West as well as his concern that Britain maintain her influence in North America now that the French had been expelled from the continent as a result of "the Great War for Empire," to use Lawrence Gipson's

23. Verner Crane, *The Southern Frontier, 1670-1732* (Ann Arbor, 1929), pp. 99-103.

24. Benjamin Franklin to Richard Jackson, April 17, 1763, and December 19, 1763, in Carl Van Doren, ed., *Letters and Papers of Benjamin Franklin and Richard Jackson, 1753-1775* (Philadelphia, 1947), pp. 102, 108.

25. Leonard Labaree and William B. Willcox, eds., *The Papers of Benjamin Franklin*, 20 vols. (New Haven, 1959-), 4: 225-34; Carl Van Doren, *Benjamin Franklin* (New York, 1938), p. 217.

26. Franklin to Peter Collinson, December 29, 1754, *The Papers of Benjamin Franklin*, 5: 453-54.

27. *Ibid.*, pp. 456-63.

28. Van Doren, *Franklin*, pp. 365-66, 394-400; Abernethy, *Western Lands*, Chapter 2.

29. Private Journal of George Croghan, May 15-December 13, 1765, Cadwalder Collection, Croghan Papers, Letters, "J-V," HSP.

30. George Croghan to Benjamin Franklin, February 25, 1766, *ibid.*, Letters "A-C" (copy). For additional comments by Croghan see George Croghan to W. J., December 27, 1765, James Sullivan and Alexander Flick, eds., *Papers of Sir William Johnson*, 11 vols. (Albany, 1921-53), 4: 886-88.

31. For Croghan's membership in the land companies, see Albert T. Volwiler, *George Croghan and the Western Movement* (Cleveland, 1926), pp. 261, 267.

apt phrase. Furthermore, as one of Croghan's biographers, Nicholas B. Wainwright, pointed out, his "mind was constantly stirred by the inevitability of western colonization and the settlement of Indian lands."³²

During the 1760s a group of speculators and traders associated with Croghan also recognized the value of the West. Thomas Wharton, a prominent Philadelphia merchant, described to the Superintendent of Indian Affairs in the North, Sir William Johnson, a scheme for establishing a colony in the Illinois country. Wharton called Illinois the most fertile of all the western territory with potential as a grain exporting area. The plan pointed out that despite the fact that French troops had departed from North America, there remained a hostile French-speaking population in the West. To meet this potential danger it was proposed that a new English-speaking colony be laid out with townships similar to New England's.³³ Plans by Wharton and his associates for a colony, soon named Vandalia, proceeded by means of promotional literature and a memorial to the Crown. A petition to the Commissioners of Trade and Plantations to establish the colony almost passed the royal seal in 1773, when other events in America postponed a decision.³⁴

Meanwhile, prompted by the expulsion of the French, the availability of rich lands, and the promotional appeal of numerous speculative land schemes,³⁵ settlers poured across the Appalachian Mountains and spontaneously became involved in the establishment of separate governments. As early as 1768-69 settlers from North Carolina and Virginia under the leadership of James Robertson established the community of Watauga — now northeastern Tennessee. Although Watauga was within the charter limits of North Carolina, the settlers claimed that they were too far from the eastern government. Forming a compact in 1772, they elected their own officials for four years before they were incorporated (temporarily) into the state of North Carolina.³⁶

In 1776 Congress was confronted with a group of settlers engaged in the establishment of a separate government. A memorial from settlers in the area of western Pennsylvania and the present state of West Virginia asked for recognition as the new state of Westsylvania. The petition expressed sentiments similar to the Watauga settlers that rule by an eastern government would be too remote. Concerned about the validity of the actual settlers' land titles, distrustful of both Virginia and Pennsylvania authorities, and supported by a growing population, the movement was essentially a spontaneous one of settlers involved in the process of state making, rather than a movement encouraged by land speculators.³⁷

32. Nicholas B. Wainwright, *George Croghan, Wilderness Diplomat* (Chapel Hill, 1959), p. 309.

33. Clarence W. Alvord and Clarence E. Carter, eds., *The New Regime, 1765-1767*, Collections of the Illinois State Historical Library, 11, British series, 2 (Springfield, 1916), pp. 247-57.

34. K. G. Davies, *Documents of the American Revolution, 1770-1783*, Colonial Office Series, 14 vols. (Dublin: Irish University Press, 1974) 6: 134-142.

35. Jack M. Sosin, *The Revolutionary Frontier* (New York, 1967), pp. 31-32; Francis Philbrick, *The Rise of the West, 1754-1830* (New York, 1965), pp. 93-95.

36. Philbrick, *Rise of West*, pp. 83-84.

37. Frederick Jackson Turner, "Western State-Making in the Revolutionary Era," *American Historical Review* 1 (October 1895): 81-83; John D. Barnhart, *Valley of Democracy, the Frontier Versus the Plantation in the Ohio Valley, 1775-1818* (Bloomington, 1953), pp. 49-51.

Thus when Maryland called for the establishment of separate republican states in the West, her position was not without foundation within the colonial experience. While Maryland's resolution was undoubtedly prompted to some degree by the desire for personal gain on the part of several leaders, and Maryland's traditional fear of its southern neighbor—a factor too long overlooked, it represented a realistic assessment of her past and present problems caused by a relative scarcity of public lands. Maryland's statement on the future of the West then was less the result of a handful of legislative land speculators than it was a carefully considered response to the long-range implications of gross inequities in state domains. Maryland's proposed solution bears remarkable similarity to the scheme eventually worked out for the disposition of western territory and the creation thereupon of new states. Through this process the land all the way to the "South Sea" ultimately became states co-equal to the original thirteen.

Cost Overrun, An Early Naval Precedent: Building the First U. S. Warships, 1794–98

MAURY BAKER

COST OVERRUN, AN EXCESS BEYOND NORMAL OR EXPECTED EXPENSE, HAS origins as ancient as the first housewife's budget. It is a universal human failing in private and public reckoning, so commonly shared and so frequently encountered as to be almost a natural phenomenon. Customarily it evokes charity and indulgence—when it is relatively trivial. But should the scale of transgression be large, as when a nation's business is concerned, the overrun is likely to arouse condemnation of extraordinary vigor. Such was the case at the tail end of the eighteenth century when the government of the United States assumed responsibility for building its first warships, with unforeseen consequences.*

The navy improvised during the Revolution became a victim of the peace and the general disorder under the Confederation, which maintained not a single armed vessel. The question of whether to provide a navy became entwined with the debate over ratification of the Constitution: its supporters, the Federalists, urged that the possession of naval power would be one of the good results; their opponents argued either that having a navy would be a bad result or that it was not necessary to ratify the Constitution to have it. The discussion continued into the first years of the history of the United States, enlivened by regional prejudice and stimulated on several occasions by Algerine capture of American merchant vessels and their crews. Eventually came developments in 1793 which emphasized the need for a naval force and generated the political support to provide it. February of that year saw Great Britain and France enter into a war whose maritime dimensions brought harassment of American shipping, with the threat of worse to follow. In October the Portuguese, who had kept Algerine corsairs confined within the Mediterranean, made a truce which allowed them to venture into the Atlantic. Treaties between other nations and Algiers left United States vessels the main victim; unprotected, eleven ships and their crews within weeks became the prey of the pirates. The Dey of Algiers discouraged efforts toward a negotiated peace by an American emissary, David Humphreys, who wrote home to his government that if it wanted to maintain its commerce on the high seas, it needed a navy. President George Washington strongly recommended one to the Congress, which approved legislation providing

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* The Naval Act of 1794, the first Congressional authorization for warships, provided for the construction of six frigates. This discussion concerns only the *Constitution*, the *United States* and the *Constellation*, the first completed, which serve to illustrate its purpose.

\$688,888.82 for the building of six frigates or the purchase of their equivalent. On March 27, 1794, Washington signed the Naval Act, thus marking the beginning of the permanent United States Navy.¹

When the Federalist administration decided to build the frigates, the President ordered Secretary of War Henry Knox (there was no secretary of the navy) to arrange for their design and construction. Knox, a former bookseller and Revolutionary War general with no experience in naval matters, turned for advice to Joshua Humphreys, one of the foremost Philadelphia shipbuilders. Humphreys had the assistance of a talented young English shipbuilder visiting the city, Josiah Fox, and the two submitted separate designs to Knox's other advisors, several of whom were prominent naval captains during the Revolution.² The design finally selected, incorporating the concepts of both shipbuilders, provided for ships considerably larger than those Congress had in mind when it passed the Naval Act, "ships best adapted for the service of any that was ever built of the kind . . . ships worthy of their national character." The ideal found further expression in the choice of materials: Georgia live oak, "The most durable wood in the world," for most of the frame, red cedar for the remainder; the best white oak for keel, beams, ledges, carling, plank for the sides, bottom, ceiling, deck plank under the guns, the wales; the best Carolina pitch pine for the decks. Only copper would serve to sheathe the bottoms, since it kept them fairly clean from marine growth and did not corrode easily. Topside, masts, spars, sails, rigging, and deck gear were to be the best obtainable, the standard applied to everything that went into the ships.³

The Administration decided not to build the ships by contract but to lease or purchase shipyards for construction under government supervision. Unfortunately, the Department of War was not organized to order and assemble materials and build warships. Secretary Knox transferred the responsibility of negotiating contracts for the principal materials to the secretary of the treasury, Alexander Hamilton, who promptly assigned it to Tench Coxe, commissioner of the revenue. Special agents, one for each of the six ports in which it was decided to build the ships, were to purchase materials not covered by contract and to hire

1. Cf. Marshall Smelser, *The Congress Finds the Navy, 1787-1798* (Notre Dame, 1959) (this is the definitive study on political background); Harold and Margaret Sprout, *The Rise of American Naval Power, 1776-1918* (Princeton, 1944); Charles O. Paullin, *The Navy of the American Revolution* (Cleveland, 1906); John G. B. Hutchins, *The American Maritime Industries and Public Policy, 1789-1914*, Harvard Economic Studies, LXXI (Cambridge, Mass., 1941); Glenn Tucker, *Dawn Like Thunder: The Barbary Wars and the Birth of the United States Navy* (Indianapolis, 1963). Also appropriated was \$80,000 for building ten galleys.

2. Howard I. Chapelle, *The History of the American Sailing Navy: The Ships and Their Development* (New York, 1961), pp. 120-27 (this volume remains the outstanding authority on sailing navy design); Captains Barry, Dale, Truxton to the Secretary of War, Philadelphia, December 18, 1794, *American State Papers, Naval Affairs*, ed. Walter Lowrie and Walter S. Franklin (Washington, D.C., 1834), 1: 8. [Hereafter, *A.S.P., Naval Affairs*]. John Barry, Richard Dale, and Thomas Truxton were prominent among the naval officers consulted. Barry became commander of the *United States* and Truxton commander of the *Constellation*. Samuel Nicholson, who after the Revolution had become a man of great wealth, was named the commander of the *Constitution*.

3. Secretary of War Henry Knox to Congress, December 27, 1794, "Construction of Frigates under the Act of March 27, 1794," *A.S.P., Naval Affairs*, 1: 6, 8, 9; Ira Nelson Hollis, *The Frigate Constitution* (Boston and New York, 1900), pp. 35-36. The length and displacement of the vessels required extraordinarily stout framing. They represented virtually a new class of frigates, more heavily armed than conventional frigates and faster than standard vessels more heavily armed than they.

the artificers and laborers necessary, as well as to pay incidental and contingent expenses. Each of the six shipyards had a clerk to receive, issue, and account for public property and to keep track of the hours worked by employees. Six naval officers, whom Washington selected to command the ships when they were built, were to act as general superintendents, insuring there was no deviation from directives and reporting weekly to the secretary of war the number of workmen employed and the progress made in construction. Additionally, for each yard there was a naval constructor to build the ship.⁴

Tench Coxe began advertising for the principal materials within weeks after the passage of the Naval Act: on April 16 for live oak and cedar timber, 24-pound cannon, ball, and kentledge (pig iron for ballast); on May 6 for yellow and pitch pine and white oak timber, and for locust treenails. No contracts could be completed until June 9, when Congress appropriated funds for the ships. Soon it became apparent that the naval agents could obtain many items more quickly and cheaply in the locality of their yards, such as white oak and yellow pine, as well as articles usually supplied by mastmakers, blockmakers, coopers, and boatbuilders; they were advised to search also for cordage and sailcloth made in the United States. Coxe contracted before the end of July for the cannon (\$106.66 each), the ball (\$37.50 per ton), and the kentledge (\$28.66 per ton).⁵

As soon as Knox's naval advisors approved his "draughts," Humphreys went about the primary business of providing molds or patterns so that the timber for the frames of the frigates could be hewn to the requisite shape. He rented a mold-loft with the most spacious, well-lighted, smooth, and even floor to be found, and on it laid out full-size the plans for the ships, cut into the floor for permanence. From them he shaped the molds, made of light battens, five hundred or so of them, a set for each yard and a set for an expedition then organizing to procure frame timber in Georgia, so that it could be rough-hewn before shipping. A master shipwright of Boston, John T. Morgan, headed the expedition, upon whose success in obtaining live oak and cedar timber waited the commencement of construction. Plans were for sixty axe-men and thirty ship carpenters to go promptly with him, but rumors of Georgia's unhealthy summers delayed recruitment and the expedition did not depart until September 23, 1794. Captain John Barry followed several weeks later to expedite production at the site; upon his return, Asa Copeland went down to help in superintending the wood cutters and in transporting timber to the cargo vessels, there to direct stowage and shipment. Oxen, not available in Georgia, were sent to haul the

4. Secretary of War, "Instructions to Clerks of the Yards," *A.S.P.*, *Naval Affairs*, 1: 8; "Instructions to Superintendents," *ibid.*, 1: 7. Glen Tucker efficiently organizes information about the frigates in this manner (*Dawn Like Thunder*, p. 82n.):

Warship	Guns	Builder	Where Built	Superintendent
<i>United States</i>	44	Joshua Humphreys	Philadelphia	John Barry
<i>Constitution</i>	44	George Claghorne	Boston	Samuel Nicholson
<i>President</i>	44	Forman Cheeseman	New York	Silas Talbot
<i>Constellation</i>	38	David Stodder	Baltimore	Thomas Truxton
<i>Chesapeake</i>	38	John Morgan, Josiah Fox	Norfolk	Richard Dale
<i>Congress</i>	38	James Hackett	Portsmouth, N.H.	James Sever

5. Commissioner of the Revenue to the Secretary of the Treasury, Philadelphia, December 22, 1794, *A.S.P.*, *Naval Affairs*, 1: 9-10.

timber, along with grain and hay and sets of timber wheels. Twenty more carpenters went southward in December. By the end of 1794 there had arrived in Philadelphia the first cargo of live oak, which Humphreys proclaimed "greatly superior to any in Europe, and the best that ever came to this place."⁶

Unfortunately, other cargoes did not follow swiftly, for the timber-cutting force ran into difficulties. It spent nearly all the first winter season in making preparations and had but little time for cutting. During the warm season the rain almost inundated the land where the trees grew, making them inaccessible; most of the timber of the lengths and sizes necessary for frigates grew in places widely dispersed and difficult to get to; under the most favorable circumstances, transportation to the shiplanding required extraordinary effort. The workmen, most of whom were from the northern states, could not stand the climate; some of them died and others deserted, so that by June 1795 only three remained who were capable of selecting the proper timber and molding it into the proper forms. These three, with local laborers, continued to work, but it was doubtful that they could supply all the required frame timber until May 1796. Other obstacles arose in transporting the timber to the shipyards; it was difficult to secure proper vessels because several that made one voyage encountered such hardships and sickness as to deter them from making a second, which discouraged other vessels from going at all. One large schooner with all her cargo was lost on Cape Hatteras. When Knox learned these facts in June 1795, he decided to concentrate the effort and issued orders to accumulate at Philadelphia and Boston as much live oak timber as would be needed to complete two frigates by the following spring. But before the orders could reach Georgia, several vessels had sailed to other yards and it was December before their cargoes could be directed to the selected yards.⁷

In December 1795, one and a half years after the funding of the Naval Act, there were still not enough live oak timbers in any of the yards to complete the frame of a frigate. The captains-superintendent reported little progress beyond assemblage of materials. Only the first step in construction had been taken by all the yards: scarfing and bolting together the pieces of the keel and laying the keel on the keel blocks. The next step, raising the stern frames into position on the keel, had been accomplished by none: the *United States*⁸ were complete and ready for raising, but those for the other frigates were only "nearly ready," or "not quite complete." The beginning of the third step, bolting together floor timbers and futtocks (curved timbers) to form the half-frames, and the fourth, raising the half-frames into place to form the ribs of the ship, evidently awaited completion of the second step—three yards, those in Baltimore, Boston, and Philadelphia, reported that the great part of the frames had been bolted and

6. *Ibid.*

7. The Vice President to the Senate, Philadelphia, December 12, 1795, "Progress in Providing Materials and Building Frigates," *A.S.P., Naval Affairs*, 1: 17; James McHenry, War Office, to House of Representatives, Philadelphia, March 22, 1798, "Naval Expenditures, and the Disposition of Materials," *ibid.*, pp. 37-39.

8. The frigates were named sometime after March 14, 1795. On that date the new secretary of war, Timothy Pickering, submitted to the president a list of twenty-one selected names in which appeared those of the *United States*, *Constitution*, and *Constellation* (Henry L. Humphreys, "Who Built the First United States Navy?" *The Journal of American History*, 10 [January-March, 1916]: 89).

were ready for raising. Thus work on all ships was delayed pending the arrival of a few materials necessary to proceed, mainly live oak for frames and knees and iron work for the hull. Missing also were materials not immediately needed, mostly procurable in the vicinity of the yards. The white oak plank for the outside skin of the ship and for the ceiling, the inside skin, was in part lacking; this could mean delay, for the plank required seasoning before use. The same was true of the heart pitch pine for the upper decks. All yards reported having beams for the gun and lower decks. The masts, bowsprits, yards, and other spars were procured but not worked; other topside gear was "sawing" or "in the yard." Kentledge was ready only at Philadelphia, which also had the necessary anchors. Sheathing copper for the bottoms, ordered from Europe, had arrived and been distributed to all yards. Knox had to include this mixed bag of information in his report to a Senate committee inquiring about progress made in building the ships.⁹

Congress soon again turned its attention to the frigates with the arrival early in 1796 of news that the president's emissary had concluded peace with Algiers. Under a clause appended to the Naval Act of 1794, work on the ships was to cease if this occurred. The House of Representatives appointed a committee to inquire into the state of the "naval armament," keeping in abeyance until January 29 the question of whether or not to complete the six frigates. The report issued on that date was critical of the administration's handling of the construction program: delay in a time of rising labor and material cost had increased their expense by approximately two-thirds; if all were to be completed, \$453,272.00 more was required. The committee recommended using the unexpended portion of the original appropriation to complete only two of the frigates, with the future of the other four to be decided later.¹⁰ After the president in a message underlined to Congress the disadvantages of interrupting the naval building program, the navy supporters in the Senate promptly recommended completion of two of the 44-gun and one of the 36-gun frigates, with the president to have discretion over finishing the others later. The House bridled at the suggestion; debate became heated and lasted the major portion of three days. The struggle ended in a compromise on April 12 with Congress authorizing the president to continue work on three of the vessels.¹¹

The frigates selected for completion were those under construction at Philadelphia (*United States*, 44 guns), at Boston (*Constitution*, 44 guns), and at Baltimore (*Constellation*, 36 guns). Work on them progressed slowly. By January 1797 only the *United States* was near the launching stage, with her hull planked, inside and out, half the bottom dubbed off and caulked, and her principal decks laid and caulked. The rigging was made and nearly fitted; the

9. "Progress in . . . Building Frigates [December 12, 1795]," *A.S.P., Naval Affairs*, 1: 17-18.

10. *Annals of Congress* (Washington, 1834-56), 4 Cong., 1 Sess., p. 272. The rise in cost of labor and materials was caused, at least partially, by a boom in the shipbuilding industry following the outbreak in 1793 of war between Britain and France. Construction was extremely active in 1795 and 1796, when the boom was at its height, but there was a sharp collapse in 1797 and 1798 (Hutchins, *Maritime Industries*, pp. 184-85).

11. *Annals of Congress*, 4 Cong., 1 Sess., pp. 788, 794, 869-91, 893. Authorization to complete the remaining frigates delayed until 1798. To complete the *Constitution*, *United States* and *Constellation* Congress authorized the use of appropriated but unexpended funds and \$80,000 provided in 1794 for building galleys.

yarns for the cables were spun; the anchors and iron ballast were at hand; and the blocks, dead-eyes, water casks, boats, lanterns, and all the tin were provided, with other materials in part procured. If the winter did not prove too severe, the frigate should be launched in April.¹²

The *Constitution* was less advanced in construction. Her frame was raised, but not planked, and the wales, although prepared, were not yet fastened. The necessary material for completing the hull had been received and the iron ballast lay in the yard. The masts were ready. Hemp was in the hands of tradesmen, being manufactured into cable and rigging. The blocks were being made. The boats were building. If the winter proved favorable, the frigate would be launched in July.¹³

The *Constellation* was no further advanced. The weather had become extremely severe in November 1796, and little had been done on the ship since then. Her hull was still not complete; the frame was raised, the wales and part of the outside plank were on, as well as the ceiling, but the beams and knees for the decks were only "preparing." Some of the shrouds were fitted and most of the blocks, dead-eyes, and hearts had been made. The boats were built, and the water casks almost built. The cannon for the gun deck were in the yard, trimmed and ready for mounting on the carriages, which had been constructed. The frigate would probably be launched in May.¹⁴

On December 7, 1796, Washington's annual message to Congress included a plea for a permanent standing navy, "so that a future war of Europe may not find our commerce in the same unprotected state in which it was found by the present"—referring to renewed hostilities between Britain and France. The message prepared the way for a request for additional appropriations to complete the three frigates, since almost all the money previously appropriated had been spent. Moreover, to commission the ships, an extra appropriation was needed to fit, man, and provide them with provisions and stores. The sums required were:¹⁵

To finish the <i>United States</i>	\$55,950.00	
To finish the <i>Constitution</i>	96,571.71	
To finish the <i>Constellation</i>	47,375.00	199,896.71
Out of which deduct		
Unexpected appropriation	24,133.71	
Materials sold	4,214.05	28,347.76
Required to finish the frigates		171,548.95
Wages, annual, for two 44-gun frigates	98,304.00	
Wages, annual, for one 36-gun frigate	42,516.00	
Twelve months subsistence for three frigates (400,770 rations at 20 cents)	80,154.00	
Annual expense of frigates		220,974.00
Rent for navy yards, salary of caretakers		2,200.00
Total appropriation		\$394,722.95

12. *A.S.P.*, *Naval Affairs*, 1: 31.

13. *Ibid.* 14. *Ibid.*

15. James McHenry to the House of Representatives, Philadelphia, January 25, 1797, "Progress Made in Building Frigates, the Establishment of a Navy Yard, and the Purchase of Live Oak Plantations," *A.S.P.*, *Naval Affairs*, 1: 25-28.

The request for this sum served as the signal for the anti-navy forces in the House to gather themselves in another effort to keep the ships from being commissioned.¹⁶ The whole frigate-building business was unfortunate, they said; it was well known that it had involved an extraordinary waste of public money. If the majority wished that the ships be finished, let them be finished, yet equipping and manning them was another matter. Let the ships be finished and then laid up in port, ready for use when needed. The anti-navy group was willing to vote \$172,000.00 for the completion of the frigates, but it stubbornly refused to vote money for equipping and manning them.¹⁷

All through January, February, and into March the debate on equipping the ships continued intermittently, reflecting the sectional and partisan divisions which were coalescing into separate party structures. Early in March an international crisis intervened, when French resentment of the Jay Treaty of 1795 with Britain expressed itself in accelerating seizures of American ships and mishandling of their crews. French conduct justified war if the United States was looking for war; President Washington sent Charles C. Pinckney to France in a final effort to avoid it. The French refused to receive him and diplomatic relations with the United States were severed. But John Adams, who became president on March 4, 1797, hoped to avert war and in a last effort appointed a three-man commission to renew relations with France.¹⁸

The House debated but took no action to provide funds for the frigates until prodded by the Senate, which sent down on June 16 an ambitious naval appropriation act including funds for equipping the ships. From the War Department came documents stating the amounts necessary. They were:¹⁹

Cost of guns and military stores, <i>United States</i>	\$38,820.00	
Labor and tradesmen's bills, <i>United States</i>	26,000.00	\$64,820.00
Cost of guns and military stores, <i>Constitution</i>	32,175.00	
Labor and tradesmen's bills, <i>Constitution</i>	45,045.00	
Fifty tons of hemp purchased to replace a like quantity destroyed by fire	16,250.00	93,470.00
Cost of guns and military stores, <i>Constellation</i>	23,814.00	
Labor and tradesmen's bills, <i>Constellation</i>	55,600.00	79,414.00
		\$237,704.00
Balance unexpended of last appropriation		40,068.00
To be provided		\$197,636.00

16. *Annals of Congress*, 4 Cong., 2 Sess., pp. 2049-56, 2111-30, 2131-51. In the main, the Federalists in Congress favored enactments supporting a navy and the Republicans opposed them. But this too simply describes the division of opinion, as does the assumption that seaboard states supported a navy and the interior states did not. Smelser identifies two kinds of Federalist supporters at the time of the French imbroglio, those for a navy-with-war and those for a navy-without-war; and he names Josiah Parker, Samuel Smith and John Swanwick as "quondam Republicans" who aided naval proposals in the House. Nonetheless, he states flatly, "The Federalist Party founded the Navy and did it against strenuous opposition" (Smelser, *The Congress Founds the Navy*, pp. 200, 203).

17. *Annals of Congress*, 4 Cong., 2 Sess., pp. 2200-2208.

18. President John Adams to the Congress, Philadelphia, May 16, 1797, *A.S.P., Foreign Relations*, 1: 41.

19. "Progress Made in Building Frigates . . . [January 25, 1797]," *A.S.P., Naval Affairs*, 1: 28-29.

The sum provoked caustic comment from the anti-navy forces, but the emergency was such that on July 3, 1797, the House quickly appropriated \$200,000, as well as \$100,000 for pay and subsistence.²⁰

By this time the frigates were much nearer completion. The bottom of the *United States* had been coppered and the carpenters' work almost finished, so that it had been possible to launch the hull on May 10. An additional wharf had been built to insure a safe launching, but the ways proved too steep and the ship slid off before all the shores were knocked out, striking the ground and injuring her false keel and rudder brace.²¹ To repair the damage she had to be careened. But by the time the additional appropriation passed, Captain John Barry, her commander, reported that the ship would be ready for sea within one month after the guns and lower masts were on board.²²

The *Constitution* was not far behind. Her bottom had been planked and squared off, and the masts and spars were being made. The rigging would soon be ready and the sails were preparing. The builder reported that the ship could be launched around August 20 and Captain Samuel Nicholson, her commander, believed she could be completely equipped within a month after that date.²³

The *Constellation* needed thirty more days before launching. Her bottom was finished, her decks almost laid and the carpenters' work nearly completed; deck gear and rigging were all at hand; one suit of sails was made; and the guns for the gundeck were mounted on their carriages and ready to be hoisted aboard. Captain Thomas Truxton, her commander, expected that within a month after launching she would be completely fitted for sea.²⁴

But these estimates of the time it would take to fit the frigates for sea did not take into account an unexpected factor; during the summer of 1797 yellow fever raged all along the Atlantic seaboard. In Philadelphia the fever struck just when it was hoped that the *United States* would be complete for service in the autumn. Several of the officers had been appointed, and part of the crew had been enlisted. First a number of deaths occurred in the vicinity of the yard; next the Clerk of the Yard died; then several of the officers and crew already aboard the ship became ill, as well as some of the workmen. All activities stopped until the end of October, when it was too late in the season to get the ship in sufficient order to meet a winter at sea.²⁵

At Baltimore the story was much the same. The fever had broken out soon after the launch of the *Constellation* on September 7, 1797, and interrupted work until the middle of October. Shortly thereafter the Patapsco River, in which the frigate lay, froze over and she was prevented from leaving the river to be equipped for sea. There she remained in the shallow channel floating only at high water, on spring tides. In this precarious position and in constant danger of straining her hull, she passed the winter.²⁶ At Boston the fever had not seriously

20. *Annals of Congress*, 5 Cong., 1 Sess., pp. 324-25, 434; *ibid.*, 3 Sess., p. 3703.

21. Hollis, *Constitution*, p. 55.

22. "Progress Made in Building Frigates . . . [January 25, 1797]," *A.S.P., Naval Affairs*, 1: 28.

23. *Ibid.*

24. *Ibid.*

25. Secretary of War to House of Representatives, Philadelphia, June 16, 1798, "Additional Naval Force, and the Establishment of a Public Foundry," *A.S.P., Naval Affairs*, 1: 32.

26. *Ibid.*, 1: 32, 39.

affected work on the *Constitution*, but a comedy of errors delayed her scheduled launching on September 20. Interest in the ship drew crowds of people to Boston for the event; stages were erected for the spectators, and among those invited were the president, the governor of Massachusetts, and other notables. A musical piece called *The Launch, or Huzza for the Constitution*, had been written to be performed on the evening of September 20; it was extensively advertised. Before the hour of launching arrived, the spectators gathered in such numbers that it was feared some might be crushed. After numerous ceremonial speeches the ship was christened; but she refused to move down the ways: the inclination was too small. Workmen in vain applied screws and other mechanical power: the frigate moved twenty-seven feet and then stopped; no effort could budge her. The part of the ways which had not previously borne the ship's weight settled, straining her hull so that the keel was out of line. Two days later another attempt proved futile: the successful launch did not occur until October 21.²⁷ Captain Nicholson thought that the ship would be ready to receive officers and crew within a short time, and fit for service in the spring of 1798.²⁸

Early in January 1798 it again became evident that further appropriations would be needed to complete the frigates. The extra sums necessary were:²⁹

To complete the <i>United States</i>	\$23,557.00	
To complete the <i>Constitution</i>	26,275.00	
To complete the <i>Constellation</i>	22,319.00	72,151.00
Balance of last appropriation unexpended		35,554.00
		36,597.00
Military stores		75,759.00
Arms, accoutrements for the marines		3,377.00
To complete and equip the frigates for sea		\$115,833.00
Subsistence for officers and crew at twenty-eight cents per ration	113,545.00	
Pay of officers and crews for twelve months	200,100.00	
	313,645.00	
Balance unexpended of last appropriation for pay	96,966.00	216,679.00
Repairs		30,000.00
Miscellaneous		33,700.00
To be provided		\$396,212.00

To the House, which three times before had been approached on the same matter, the request for such a sum seemed clear evidence of mismanagement or

27. Hollis, *Constitution*, pp. 55-58. Hollis recounts another incident in connection with the launching: "Captain Samuel Nicholson, who was not very popular with the constructors and mechanics, desired very much the honor of hoisting the first national flag over the new frigate, but he was forestalled by a workman. He went out of the shipyard for breakfast on the morning of the launch, leaving orders that no flag was to be hoisted, but while he was absent a calker named Samuel Bentley ran up the flag, which was already bent to the halyards. This was no doubt a piece of mischief deliberately aimed at Captain Nicholson, or perhaps a method of working off some old grudge" (p. 59).

28. "Additional Naval Force . . . [Jan. 16, 1798]," *A.S.P., Naval Affairs*, 1: 32.

29. *Ibid.*, p. 33.

worse. The members debated suspending completion of the frigates until an inquiry could be made into the expenditure of the sums already appropriated. They might as well throw the money of the public into the sea at once, one said, as to appropriate it for a project which seemed to have no end.³⁰ But suddenly the tide of debate reversed with publication of the "X.Y.Z. Papers," which let loose national hostility against the French government. The president's report on the matter included a suggestion that the Congress get on with the business of strengthening naval power. Responding, the Congress in the same session provided funds for the three frigates and for the purchase of twelve sloops of war and ten galleys for coast defense, altogether amounting to nearly \$2,000,000.³¹ At the same time, the House instructed a committee which had been appointed to inquire into the matter, to give as soon as possible a complete report on the expenditures, the causes of delay, and the materials still at hand.

At the end of March, the frigates were still not ready. Much of the equipment had not yet been obtained: anchors were lacking, as were many of the cannon. There was difficulty in obtaining properly made guns for the frigates, with the consequence that armament varied among sister ships, some having guns of a British model, some with fortification guns, and some with guns of a supposedly standard American model. Each ship commander had his own ideas of ship armament, which distinguished his vessel from others. The designers of the frigates had attempted to follow the best practices among leading navies, using heavy long guns in the main battery, as the French did, and carronades (short cannon for close range) on the upper deck, according to British usage. In any circumstance, the frigates' armament was unusually powerful: the 44's (*Constitution* and *United States*) carried thirty long 24-pounders on the gun deck and twenty to twenty-two carronades, 42-pounders, on the upper deck; the 38-gun frigate *Constellation* carried twenty-eight long 24-pounders on her gun deck and carronades above. All the frigates had long chase guns on the forecastle and small mortars for the rails.³² None was readily obtainable.

The summer arrived before the frigates were ready to put to sea. The *Constellation* went first; in June Captain Truxton received his orders to put out and cruise along the southern Atlantic coast.³³ The *United States* followed; Captain Barry departed early in July with orders to cruise between Cape Henry and Nantucket.³⁴ The *Constitution*, on July 2, 1798,³⁵ dropped from the inner harbor of Boston to the Roads, where she waited three weeks before she cleared for sea with orders to cruise from Cape Henry to Florida.³⁶

Just before the frigates put to sea the committee appointed to inquire into their building made its report to the House of Representatives. The committee revealed that total expenditures had been as follows:³⁷

30. *Annals of Congress*, 5 Cong., 1 Sess., 1: 821-28, 831-36.

31. *Ibid.*, 5 Cong., 2 Sess., 2: 524, 1270, 1272.

32. Chapelle, *American Sailing Navy*, pp. 132-34.

33. *A.S.P.*, *Naval Affairs*, 1: 69.

34. Gardner W. Allen, *Our Naval War with France* (Boston, 1909), pp. 64, 66.

35. *Ibid.*, p. 70, quoting the *Massachusetts Mercury*, July 3, 1798.

36. Hollis, *Constitution*, p. 60.

37. The Secretary of War to the House of Representatives, Philadelphia, March 22, 1798, "Naval Expenditures, and the Deposition of Materials," *A.S.P.*, *Naval Affairs*, 1: 41.

Cost of timber procured in Georgia				\$124,918.37
Freight of timber from Georgia to the navy yards				114,013.12
Fixtures, implements, etc. for the yards				61,838.28
Cost of ships, exclusive of timber from Georgia:				
	<i>Labor</i>	<i>Materials</i>	<i>Freight</i>	
<i>Constitution</i>	110,759.94	75,286.68	4,020.00	190,066.62
<i>United States</i>	83,701.55	77,497.15	2,377.00	163,570.70
<i>Constellation</i>	112,777.24	85,987.74	6,754.75	205,519.73
Unfinished ships	33,695.46	38,644.58	4,572.70	76,912.74
Expenses that apply generally (losses through fire, shipwreck, etc.)				178,340.18
Total cost of ships				\$1,114,179.74

The causes for this "extraordinary"³⁸ expenditure were stated to be several. First, the ships were built at different places. Had they been built at one place, great savings in freight, equipment cost, and labor would have been realized. However, it was doubtful that any one place could have furnished the yards and workmen required without interfering with merchant-ship building there. Secondly, the larger size agreed upon for the ships had increased the cost beyond that originally planned. Third, procuring the great quantities of live oak timber needed for construction had involved numerous difficulties and unexpected expenses. Fourth, there had been a great rise in the price of labor and material: wages in Philadelphia between the date of the first estimate and the time the frigates were launched had risen more than 60 percent; the rise in cost of wrought iron and hemp about 40 percent; and freight cost, 100 percent. Fifth, certain losses and contingencies had occurred: two loads of live oak were lost in passage from Georgia and fifty tons of hemp had burned at Boston; moving the live oak timber from one yard to another had incurred double freight; and a great proportion of the live oak pieces had been shipped 40 percent larger than the models prescribed, incurring excess freight charges.³⁹ The launchings of the *United States* and the *Constitution* through ill fortune had required additional expenditures.

But the causes probably most responsible for increasing the cost of the frigates, as well as the delay, were mentioned only casually in the report. "On 27th of March, 1794, when the act passed to provide the naval armament," wrote the secretary of war, "the public were without magazines of timber, materials, or system, which could, in any wise, give facility to the building and equipping of heavy ships of war, circumstances extremely unfavorable, but necessarily attendant on the commencement of the work. Besides"—and here, perhaps, lay the most important cause—"will not the public be always, more or less, exposed to like expenses, if, when ships are ordered to be built, the timber and other materials necessary for their construction and equipment are to be sought for and purchased? When everything is thus to be suddenly procured, will there not

38. The cost of warships in England at this time was reported to be a thousand pounds sterling per gun.

39. "Naval Expenditures . . . [March 22, 1798]," *A.S.P., Naval Affairs*, 1: 37-39.

be found, in every community, too many persons ready to profit by the occasion? And who, under such circumstances, can estimate, with precision, what an article will finally cost, or say, with certainty, when a work can be finished?"⁴⁰

The report to the House of Representatives marked an end to the complications attending the birth of the first three warships of the United States Navy. From conception to launch the frigates had required four years in the building, nearly three years longer than expected. Total expense for building the three was \$804,762, nearly \$115,874 more than the Naval Act of 1794 had provided for six vessels. The estimated cost overrun was slightly more than \$451,362, about 127 percent.⁴¹

But one must consider what the nation got for its money. Most importantly, a critical decision: after long and spirited argument, the Congress resolved to build and maintain a navy. The Naval Act of 1794 was the initial landmark in the development of U.S. naval policy. With the frigates began a precedent of building ships that were the best of their class which influenced later naval design. The ships represented the highest standard of naval constructive skill in design and armament. They were fleet but full of fight; their hard, tough timbers and planking deservedly brought to one of them the nickname "Old Ironsides"; their heavy guns gave them an advantage over most of the European frigates. Officered and manned by brave and skillful seamen, the vessels demonstrated their merits by outsailing and outfighting several of the crack British warships, whereupon that government modeled a large new class of heavy frigates upon the lines of the American ships. The three frigates, with the three others authorized, formed the backbone of the squadrons that subdued the Barbary corsairs. In the quasi-war with France and the war with Britain, the three fought single-ship actions that made them known in every household of the United States, helping to create a stronger national unity. The permanent navy of the United States, begun with these frigates, became an object of pride to the nation and of respect among other nations. Its admirable beginning stimulated self-respect in the young country which, for lack of a naval force, paid in tribute to the Algerine pirates much more than the price of the first three frigates.⁴²

40. *Ibid.*, pp. 37-38.

41. The computations are based on the ratings of the vessels. The *Constitution*, *United States* and *Constellation* carried 126 guns, approximately 51.3 percent of the 246 total for the six warships. This 51.3 percent was applied to all expenses, timber, losses, fixtures, etc. attendant to building the vessels.

42. The treaty of September 5, 1795, was expensive, costing nearly \$1,000,000, including \$525,500 for ransom of captive seamen, various presents, miscellaneous expenses, an annual tribute of naval stores and, in later years, a frigate. The United States was merely one of many nations paying protection money to the Barbary powers for the security of their maritime commerce in the Mediterranean (Gardner W. Allen, *Our Navy and the Barbary Corsairs* [Hamden, Conn., 2nd ed., 1965], p. 56).

A Strange Career in a Young Navy: Captain Charles Gordon, 1778–1816

WILLIAM L. CALDERHEAD

ONE OF THE MOST SINGULAR AND TRAGIC FEATURES OF OUR AMERICAN revolution was the fate of that group of people who remained loyal to the king's cause. Their numbers were substantial, and the price which many of them paid for that loyalty was often severe. This was particularly true in the state of Maryland where proud families like the Dulanys, the Galloways, the Stewarts, and the Alexanders risked loss of fortune and even exile for the cause they professed. In each instance noted, the suffering sufficed for one generation, which, even the most callous observer would agree, was punishment in full measure. Maryland's eighteenth century records reveal, however, that there was one prominent family on the Eastern Shore who would endure the consequences for an even longer period of time. This was the Charles Gordon family of Cecil and Kent counties.

Two historical articles have been written concerning this family. The first, dealing with Charles Gordon, Senior, appeared fifty years ago in the *South Atlantic Quarterly*. The second, by Dr. Morris Radoff, was printed in the *Maryland Historical Magazine* in 1972. It dealt with the last year in the life of Charles Gordon (the younger), a captain in the new American navy. It will be the purpose of this essay to bridge the gap of time between father and son by examining the son's career, a career that was fatefully tied in with the father's past. Two themes will be considered. One will trace the naval career of the younger Gordon, pointing out how closely it reflected the hopes and ambitions that most of the energetic young officers of the new American navy shared in the early nineteenth century. The second will examine a rather odd phenomenon: namely, that everything about young Gordon's life that touched upon England brought loss and frustration as if a kind of specter of British origin had fallen like a dark shadow across his life's path.¹

That somber shadow was there from the very beginning of his life, for young Gordon was born into a Loyalist family on Maryland's Eastern Shore in the midst of the American Revolution. The father, Charles Gordon, Senior, born in England, had come to America in 1750 and was practicing law in Cecil County. Upon declaring his loyalty to the king at the outbreak of the war, he became alienated from friends and neighbors. Unlike most Loyalists, however, Gordon spoke out strongly in defense of England. Because of this, his life was contin-

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1. The theme of such a specter is alluded to very clearly in Leonard Guttridge and Jay Smith, *The Commodores* (New York, 1969). See the commentary on Gordon throughout the book.

ually threatened and he suffered physical abuse, being dragged, on one occasion, through the streets at the end of a halter. When the new state government arrested him because of his utterances, his wife's family intervened. She was a member of the Nicholson family, several of whose members possessed great political power on the Eastern Shore and who were, importantly, ardently patriotic in the Revolutionary War. It was agreed that Gordon would not be imprisoned but would be exiled to England. In contrast to other Maryland Loyalists, Gordon's exile was forced and he was sent alone, his wife and six children, two of them sons, remaining behind in Maryland.²

For the remainder of the war it was their lot to bear the burden of justifying the stand of a father who had refused to support the American cause. Compounding this awkward situation was the poverty in which they now lived, for the state had confiscated their possessions as Loyalist property. In 1782 Mrs. Gordon was forced to appeal to the state government for financial support.³ Little help was forthcoming here, so the children were farmed out to sympathetic friends and relatives. The Samuel Chew family of Chestertown kept the two boys, Charles and Joseph, through the 1780s.⁴ Both parents had died by 1786, and the county court appointed a guardian for the children in 1787.⁵ In some manner (in which the records do not reveal), young Gordon must have obtained a good education, for his later correspondence reflects a skill and facility in writing that could not have been acquired informally. Furthermore, by the late 1790s, like many young men in his day who would soon be officers in the new navy, he acquired valuable experience in seamanship by serving on board an East India merchant ship that was operating out of Baltimore.⁶

By his late teens there seems little doubt that his father's fate had made a deep impression upon him. The physical abuse, the grim penury of the 1780s, all had occurred when the young Gordon was in his early formative years. The peculiar circumstance of his father's status and a desire to compensate for it, especially among his patriot relatives, may have influenced Gordon's decision to join the United States Navy as a midshipman in June 1799. Other contributing factors were probably at work as well, including the wave of patriotism that was sweeping the country as a result of our undeclared naval war with France and the fact that several of Gordon's relatives (on his mother's side) already possessed distinguished naval and maritime careers.⁷

2. Herbert B. Stimson, "Charles Gordon: Jacobite and Loyalist," *South Atlantic Quarterly*, 27 (October 1928): 390-404.

3. *Maryland State House Journal*, 1781-82 Session, April, 1782, p. 126.

4. "American Loyalist Claims," Audit Office, Public Records Office in London, Nos. 79 and 80, Vol. 79 under entry of Gordon, Charles, 1787. This office described the circumstances of Gordon's family. See also the 1783 Census of Maryland for Chestertown, Kent County, noting the household residents of Samuel Chew.

5. Morris L. Radoff, "Captain Gordon of the Constellation," *Maryland Historical Magazine*, 67 (Winter 1972): 389-418.

6. Officers like Decatur, Rodgers, Porter, Preble, etc., all had valuable merchant service experience before the new navy was formed in 1798. See David Long, *Nothing Too Daring* (Annapolis, 1970), pp. 5-6. For a note on Gordon's merchant service, see *Niles' Weekly Register*, June 3, 1815. This newspaper did not mention the name of the merchant ship.

7. One relative was Captain Samuel Nicholson, a hero of the American Revolution and builder of the frigate *Constitution* in the mid 1790s. Another was Captain Alexander Murray, active in both the Revolutionary era and in Jefferson's navy. See Stimson, "Charles Gordon," pp. 391-93.

To advance in the navy in that day a young man needed three types of assets: skill and ambition; a degree of good fortune; and well-placed friends or relatives who could, through discreet pressure, help to advance one's budding career. Gordon had more than his share of two of these assets. Serving in Congress was one influential uncle, Joseph H. Nicholson, a younger brother of Gordon's mother. Serving in Jefferson's new cabinet was another uncle, Albert Gallatin, who had married Hannah Nicholson, a sister of Gordon's mother.⁸ Such figures could be of little help, though, unless the protégé showed his worthiness, and Gordon was not lacking here. Being older (age 20) than the average midshipman, his maturity and ambition made him stand out from the crowd. Furthermore, he had already developed a skill in seamanship, a talent that was most sought after in the young navy.⁹ As for the asset of good fortune, he would be somewhat lacking as his early career would prove.

Gordon's service in the brief quasi-war with France was uneventful. Although his first ship, the *Insurgente*, was already marked by fame (she had just been captured in a dramatic gun duel and overhauled for American use), her career under American colors was lacking in importance. Transfer to the *Constellation* brought little improvement. That ship had won two brilliant victories against French frigates, but all of this had occurred before Gordon reported aboard. With the economy drive that was started at the end of the war, the major problem for young officers was simply that of staying on active duty. When the list of permanent lieutenants appeared in 1801, Gordon's name was twenty-fourth on a roll of thirty-six. Nearly one hundred less fortunate officers had been released from the navy.¹⁰

Having been retained in the service, the next challenge was to obtain advancement. In a shrinking navy this would not be an easy task. But for once Gordon's luck turned. While he was on a cruise in the Mediterranean in 1803, war broke out with Tripoli. Three events were to transpire during this war which would enhance his service record. To begin with, he was made first lieutenant on the frigate *Constitution*, a key executive position in the navy and one in which he found favor in the eyes' of the squadron's commander, Edward Preble.¹¹ Secondly, with a number of other young lieutenants, several of whom became famous, he took part in a series of gunboat actions off Tripoli. For his role in this he was cited by Commodore Preble.¹² Finally he volunteered to join the *Intrepid*, a ship that was being readied for a secret mission against Tripoli.

8. Gordon's relationship is described in the "Joseph H. Nicholson Papers," vol. 6, 1813, J. H. Nicholson Collection, Manuscript Division, Library of Congress. See also Guttridge and Smith, *Commodores*, p. 325.

9. Charles and Margaret Sprout, *The Rise of American Naval Power* (Princeton, 1939), p. 103; Charles Paullin, *Commodore John Rodgers* (Annapolis, 1909), p. 302. Gordon's exact date of birth is not known. Since the navy usually did not select midshipmen beyond the age of 21 and since Gordon was named for his father and older than his brother Joseph, his year of birth was probably 1778.

10. Irwin Anthony, *Decatur* (New York, 1931), p. 60; Charles Goldsborough, *US Naval Chronicle* (Washington, 1824), pp. 376-77.

11. Preble was a hard taskmaster with his young lieutenants and often judged them harshly, but he looked upon Gordon quite favorably. See Christopher McKee, *Edward Preble* (Annapolis, 1972), pp. 214-16.

12. Goldsborough, *Naval Chronicle*, p. 226; Captain Preble to Secretary of the Navy, September 1804, Captains Letters, Microcopy 125, Roll 2, National Archives.

Although Gordon's services were not accepted (first lieutenants were not expendable) his zeal and cooperativeness were mentioned in the official records.¹³ The mission of the *Intrepid* ended in failure, for the vessel, carrying heavy explosives to use against the enemy fort, detonated prematurely. The crew and the three officers on board were killed. A monument stands today on the grounds of the Naval Academy memorializing the bravery of the men involved.

The Barbary Wars, which came to an end in 1805, had given Gordon the chance to prove himself in the new navy and he was clearly in the upper portion of that group whom the navy had retained in 1801. But four other officers who were his contemporaries in age and rank had done equally well or better and would build on their fame in 1812. Three of these, Thomas MacDonough, James Lawrence, and Stephen Decatur, had also fought in gunboat actions, but they had also volunteered for a very dangerous mission: the burning of the frigate *Philadelphia* which had earlier fallen into enemy hands. Their success on this mission brought substantial laurels. Decatur was promoted to captain immediately while the other two were given more favorable assignments. The fourth officer, Oliver H. Perry, had missed the dangerous missions, and like Gordon, would have to impress his superiors by his less warlike abilities.

After his wartime services in the Mediterranean had ended, Gordon returned to the United States. His career would now be furthered by a two-year span of good fortune. The summer of 1805 found him stationed in Boston where a brief siege with asthma kept him ashore but did not prevent him from building gunboats for the new Jeffersonian navy. That autumn he was assigned sea duty in the frigate *Adams*. During the next six months he so favorably impressed her captain, Alexander Murray, that the latter wrote three strongly worded recommendations in his favor, finding him an "excellent and inspiring officer" and one "who merited the patronage of the Navy Department."¹⁴ Such praise brought results, and in a navy that was still decreasing in size, Gordon was promoted to the grade of lieutenant commanding (lieutenant commander) and one year later to master commandant (commander), a signal achievement since he was just 28 years of age.¹⁵ While he was awaiting a duty assignment in his new grade, word of the mounting conspiracy of Aaron Burr reached Washington. Immediately Gordon volunteered to proceed westward to help the government track down the arch plotter. What provoked Gordon's action cannot be determined. Other naval officers, including those without assignments, were *not* responding in a similar way.¹⁶ Could he see in Burr's treacherous behavior a reflection of his own father's action in the American Revolution and in turn feel a need to atone for it? In any event, Burr was shortly apprehended and Gordon's services were not required.

Thus far Gordon's naval career had been a promising one. Not only had he

13. Naval Documents, *Barbary Wars, Operations*, 3:381 (February 1, 1804).

14. Captain Alexander Murray to Secretary of the Navy, September 20, 1805, and January 12 and 20, 1806, Captains Letters, Microcopy 125, Roll 4.

15. Abstract of Service Records of Naval Officers, Records of Officers, 1798-1893, Record of Charles Gordon, Microcopy 330, Roll 1 and 2, December 1798 to March 1813.

16. Commander Gordon to Secretary of the Navy, January 18, 1807, Letters from Master Commandants to Secretary of the Navy, Microcopy 147, Roll 1, National Archives.

proved himself a zealous officer, but his loyalty and patriotism were beyond question. If he had any motivation, real or subconscious, to make up for his father's shame, he was succeeding admirably well. Oddly enough, any specter of British origin had, for these years, been a boon rather than a curse. All of this would dramatically change in 1807.

It began with Gordon's orders detailing him to take over the frigate *Chesapeake* and ready her for a twelve-month cruise to the Mediterranean. The next three months of preparatory activity were filled with frustrations. In addition to the ordinary problems of provisioning a ship for sea, he faced two that had an unfavorable flavor of England about them. First, he failed to get along with the commander of the Washington Navy Yard, Captain Thomas Tingey (recently an officer of the Royal Navy), and this made Gordon's task of fitting out the ship more difficult.¹⁷ Secondly, a rash of desertions among her crew, coupled with the fact that England was stepping up her impressment activities and that many of the *Chesapeake's* crew were not native-born Americans, should have been a warning to Gordon that a possibility of danger lurked beyond the safety of the American shores and that his ship should have been in a state of combat readiness when it began its cruise. Although by June the ship was not in the best condition to go to sea, Gordon reported to James Barron, the newly arrived commodore, that they were prepared to sail. After a cursory inspection, Barron acknowledged the ship's "readiness" and the frigate stood out to sea.¹⁸

Just beyond the Chesapeake Capes lurked the British frigate *Leopard*, with orders to search the American cruiser for deserters who were suspected to be among the American crew. When Barron refused to permit a search party to board his ship, the *Leopard* opened fire at close range. With the American ship unable to respond swiftly to the attack, Barron took a number of steps in an attempt to lessen the British fire.¹⁹ These actions were interpreted in two ways. A few felt that he had acted to minimize casualties in a nearly hopeless situation. Others, including Gordon and most of the officers, believed that Barron was an arrant coward whose only intention was to fire one shot of symbolic protest and then surrender his ship. When the British search party came on board, they took four men but not the ones they were seeking. Gordon became so incensed at their presence on board an American warship that he stomped to his cabin and emerged only after the British had left.²⁰ For the

17. Guttridge and Smith, *The Commodores*, p. 121.

18. Captain Barron to Secretary of the Navy, June 6, 1807, Captains Letters, Microcopy 125, Roll 7. Since Barron was a captain and outranked Gordon, he became the commanding officer of the ship and, importantly, final decisions and responsibility were his. Since he chose not to contest the *Leopard's* broadsides, and Gordon disagreed with this choice, it is interesting to speculate what Gordon might have done if Barron had not been on board.

19. For the background to the British aspect of the incident, see Guttridge and Smith, *The Commodores*, p. 126, and especially Edwin M. Gaines, "George Cranfield Berkeley and the Chesapeake-Leopard Affair of 1807," in *America: The Middle Period. Essays in Honor of Bernard Mayo*, ed. John B. Boles (Charlottesville, 1973), pp. 83-96.

20. Captain Barron already had a reputation for lacking moral courage. Perhaps it was at this point that Gordon and the other officers decided that Barron was afraid to fight. In the noise of the firing, Barron, among other things, attempted to speak with the British ship. No American heard his exact words, but testimony at the trial implied that the message was cowardly.

second time in his life, Gordon found that a man in a position of authority over him had brought shame and humiliation.

The scarred *Chesapeake* limped back to Norfolk and the officers on board, excluding Gordon, drew up charges against Barron for cowardice. In the trial that followed, misfortune dogged the commodore's stand. Poor advice from his defense counsel, the nonremoval of two prejudiced judges, and the nonappearance of key defense witnesses combined with the probability that the Jefferson administration was looking for a scapegoat to ease the national tension, doomed Barron's chances. He was found guilty and was to be dismissed from the service for a period of five years. Gordon was tried for negligence in not having the ship ready, was declared guilty, and was given a private reprimand. The best authorities on the *Chesapeake* incident, Smith and Guttridge, see unfairness in Barron's trial and possible political intervention in Gordon's trial (the Gallatin and Nicholson forces may have brought pressure on Jefferson). Until further evidence is uncovered, this is a challengeable but valid view. Their additional observation that the results, "like few other court-martials, cast their long shadow of bitterness and tragedy," cannot be challenged. And for Gordon, the grim shadow of England had cast a pall over his life once again.²¹

Considering the seriousness of the *Chesapeake-Leopard* incident to the reputation of the Navy, Gordon was probably fortunate to get off with just a private reprimand. There were two more serious repercussions to come, however. One would affect his career; the other would endanger and in fact shorten his life. The former repercussion could be anticipated and accordingly planned for. The latter came suddenly and unexpectedly and involved his English nemesis.

Gordon first faced the lesser problem, that of salvaging his reputation in the navy. A number of powerful interests were available for support. Robert Smith, the secretary of the navy, deliberately chose not to detach him from the *Chesapeake*, noting that it would be a "degradation under the present circumstances."²² Gordon instead was allowed to remain on board the vessel. Stephen Decatur, the ship's temporary commander, also lent support. The two men had always been modest friends; in James Barron they now had a common enemy. Not surprisingly, Decatur returned the command of the *Chesapeake* to Gordon in early June, choosing nevertheless to remain on board as commodore. For the rest of the year the mission of the ship was to enforce Jefferson's embargo in the Chesapeake Bay and along the Atlantic Capes. The *Chesapeake*, which had been responsible for the passing of the embargo, had now become one of the instruments the nation was using to enforce it.²³

In December 1808 Gordon left the ship and took furlough home, first to Chestertown and then to Annapolis. From here a letter, sent to his friend lieutenant John Trippe, revealed his thoughts about his current status in the navy. Although he felt that his trial had ended favorably, the *Chesapeake* affair

21. Guttridge and Smith's *Commodores* (pp. 141-71) has excellent coverage of both trials.

22. Secretary of the Navy to Captain Decatur, May 30, 1808, Letters from the Secretary of the Navy to Captains, Microcopy 149, Roll 8, National Archives.

23. Logbook of the *Chesapeake*, June, 1807 to February, 1809, Manuscript Collections, Library of Congress.

still made him "feel delicate" about the strength of his career in the service. Had the Navy Department's recent promotion of two junior officers to the command of the brigs *Vixen* and *Argus*, for instance, been proof that he had lost favor? Or had he not been given command, as rumor had it, due to his recent ill health? Gordon ended by declaring his belief that the Navy Department had something more worthwhile in mind.²⁴

He was not to be disappointed in this, for in March he was given command of the brig *Siren* and was told to prepare her for sea for a special mission. Since the ship was short of crew members, Gordon had the task of recruiting in Baltimore the men he needed. But with the embargo ending and high rates of pay in the merchant service, volunteers were hard to come by. A grim reminder of the *Chesapeake* occurred when Gordon was warned to enlist only United States citizens. When the crew quota was not met, the Navy Department transferred fifteen men from another ship to the *Siren*. In early May a Mr. Gelston with special orders from the State Department came aboard. The *Siren* was to transport him to L'Orient, France, and then return with him to the United States.²⁵

The earlier experience of preparing the *Chesapeake* for sea and the consequences of its lack of preparedness had perceptibly made Gordon a more conscientious officer. This time his ship was in readiness, including both guns and powder. The only weak element was the recruited seamen, for as Gordon noted, "I have the most wretched crew I ever saw."²⁶ Ironically it was not the crew that would be tested, but the courage of Gordon himself. When the ship had arrived safely at L'Orient, the French, perhaps taking their cue from the English, insisted on the right of boarding and making a search—this almost on the anniversary of the *Chesapeake* affair. Gordon correctly refused the demand, but in order not to delay Gelston's mission, agreed that the French could board as a token gesture but could make no search whatsoever. They at first refused to go along, but discovering that the American would not budge, they gave in.²⁷

Two results would obtain from this. First, the nation and the navy were to regain much of the credibility they had lost the year before. Secondly, Gordon found favor in the eyes of the new secretary of the navy, Paul Hamilton, who in analyzing the events of the voyage, "highly approved" of his conduct as captain. In addition, Gordon was also reassured by the secretary that the recent choice appointment as commander of the *Wasp* had gone to James Lawrence and not to Gordon only because the latter was out of the country at the time the appointment was made.²⁸ As the months following his court martial slipped by, Gordon

24. Charles Gordon to John Trippe, January 12, 1809. This letter is among the letters of John Trippe, in the manuscript collection of James Kemp, Episcopal Bishop of Maryland, Prince George's County Historical Society.

25. Secretary of the Navy to Charles Gordon, March 6, April 29, and May 1, 1809, Letters from the Secretary of the Navy to Officers, Microcopy 149, Roll 8.

26. Charles Gordon to the Secretary of the Navy, April 30 and May 3, 1809, Letters from Commandants to Secretary of the Navy, Microcopy 147, Roll 2.

27. Charles Gordon to Secretary of the Navy, July 29, 1809, Letters from Master Commandants to Secretary of the Navy, Microcopy 147, Roll 2.

28. Secretary of the Navy to Charles Gordon, August 2 and 18, 1809, Letters from the Secretary of the Navy to Officers, Microcopy 149, Roll 8.

had, to all appearances, recouped his lost status in the navy. The future looked promising indeed.

But an unexpected blow would now strike, for Gordon would take part in a series of duels that would dramatically affect his career. Dueling had long been a standard custom whereby gentlemen settled serious differences between themselves. Although the Navy Department discouraged the practice—good officers were hard to come by—the system had become part of the code of honor of the officer corps. While the practice was not commonplace, many of Gordon's acquaintances had been involved in duels and there is a good possibility that Gordon had served as a second or as a witness in one or more of these. It was not unnatural then, in fact it was to be expected, that to settle a dispute occurring in Norfolk in September 1807 (three months after the *Chesapeake* incident) between Captain Gordon and a Dr. Stark over the recent conduct of Captain Barron, a challenge to a duel was presented.²⁹ It was agreed that if either side fired before the word was given, the opposing second should immediately shoot the offender. These unusual terms lead one to suspect that Gordon was the party challenged. Under these strange conditions, the opponents faced off and then fired on command. Both parties missed and the grim sequence was continued through the fourth round without result. Nerves grew taut and on the next round Dr. Stark fired prior to the command. Immediately, Lieutenant William Crane, Gordon's second, shot the doctor, wounding him in the arm.³⁰ Hotly worded denials from the doctor's friend that he had not been too precipitate naturally provoked a second duel with Gordon now engaging Dr. Stark's second. This round ended more quickly with Gordon receiving a slight wound. The affair of honor was over and without tragic consequences to anyone.³¹

Unfortunately the next duel would not end as favorably. In the interval eighteen months would pass. After the return of the *Siren* on its mission to France, the ship was sent for a brief time to Baltimore. It was here that Gordon would meet his nemesis, Alexander C. Hanson, the vitriolic editor of the *Federal Republican*.³² When the latter published an article disparaging those who had been in the *Chesapeake* incident, Gordon challenged him to a duel. Actually Gordon could have ignored the article without any question of honor involved, since the incident was long past and Hanson, who was continually castigating people in print, could have been dismissed as a crank. Going out of his way, though, Gordon sought satisfaction. The most logical rationale for his action came perhaps, as one observer noted, from Gordon's tendency to see his opponent "politically if not in blood an Englishman."³³

The site of the affair was a partly cleared glen near the Bladensburg Road and

29. Stark was a Virginia relative of Captain Barron (*Maryland Gazette*, October 15, 1807).

30. *Norfolk and Portsmouth Herald*, September 26, 1807; Stephen Decatur to Secretary of the Navy, November 9, 1807, Letters from Captains to Secretary of the Navy, Microcopy 125, Roll 8.

31. Stephen Decatur to Secretary of the Navy, November 19, 1807, Letters from Captains to Secretary of the Navy, Microcopy 125, Roll 8.

32. Hanson, a graduate of Saint John's College, was a grandson of John Hanson, governor of Maryland in the Revolution. His newspaper was filled with bitterly caustic articles about Jeffersonian and anti-British leaders. See *The Federal Republican*, January to December, 1807, *passim*.

33. Guttridge and Smith, *The Commodores*, p. 170.

just beyond the District of Columbia line. In later years this was to become the spot for settling most of the disputes for citizens of Washington and members of Congress. Numerous men of fame would fight and sometimes die here, and figures like Decatur, John Randolph, and Henry Clay were just a few who gave it special notoriety.³⁴ Gordon's turn came on the morning of January 10, 1810. Hanson, a crack shot, fired and hit his opponent in the lower abdomen. As Gordon was removed to nearby Hill's Hotel, his imminent death seemed certain. On the following day he was taken to the nearby residence of Albert Gallatin, whose wife was Gordon's aunt. It was at last determined that no bones were broken and miraculously none of the intestines had been cut. Under Mrs. Gallatin's watchful eye he made a slow and painful recovery.³⁵ Although he regained his strength in a short time, the wound refused to close and continued to drain. He remained in this condition, partly disabled, till 1813.³⁶ Since he could lie prone only with discomfort, he had a special couch made to sleep upon. He would use this in his captain's cabin on the *Constellation* through the war and on his last cruise.³⁷ Aside from the inconvenience of his injury, Gordon found that because of his health, his career was once again in jeopardy, and he would be passed over for sea commands when war came in 1812.

(Gordon's opponent, Alexander Hanson, fared little better. In the summer of 1812 his pro-British feelings led him bitterly to oppose the war. Incensed at his stand, patriotic Baltimoreans stormed his office in July, seized him and several friends, beat them senseless, and left several for dead.³⁸ Hanson somehow survived, but he never fully recovered. As a safety measure he moved his offices to Georgetown and continued to publish. But his tone had not changed. In bitingly cynical articles he began to attack the Madison administration, including the president's wife. Finally the volcanic fires within, combined with his deteriorating health, became too much for him and he died shortly after the war at the age of 35.)³⁹

In the meantime Charles Gordon had to recover his health and move ahead in his naval career. In April 1810, still part invalid, he returned to duty status by taking over the command of the *Chesapeake* now in ordinary in Boston. The assignment was unfavorable in two respects: the ship was a grim reminder of three years of personal travail, and the cold winter climate irritated his draining wound. When his request for transfer was denied, Gordon made the best of it and spent his time in 1810 and 1811 making improvements on the ship and

34. Since dueling was prohibited in the capital, the Bladensburg field became a convenient spot. In the sixty years before the Civil War several dozen duels were fought there involving major and minor historical figures.

35. Nathaniel Macon to Joseph Nicholson, January 11, 16, 17, and 25, 1810, in the Joseph Nicholson Collection.

36. From a medical point of view Gordon's problem was a serious rupture of the abdominal wall caused by the passage of the bullet. Today it would be treated by surgery. In that day the wound either closed or the patient usually died. A case like Gordon's was to baffle Michigan doctors in the 1820s. See *Time*, August 9, 1945, and Dr. William Beaumont's analysis.

37. Guttridge and Smith, *The Commodores*, "Acknowledgment" section in the foreword.

38. Frank A. Cassell, "The Great Baltimore Riot of 1812," *Maryland Historical Magazine*, 70 (Fall 1975): 241-59.

39. Irving Brant, *James Madison*, 6 vols. (Indianapolis, 1953), 6: 135.

enlarging his friendships with his fellow officers, especially Commander James Lawrence. When the latter was sent to his new duty station in New York, Gordon made efforts to supply him with his favorite seafood, Boston Mackerel.⁴⁰

At the close of 1811 Gordon's request for transfer to a warmer climate was confirmed and he was ordered to Baltimore to command the navy station and the gunboats there. Private conversations with members of Congress convinced him by the early spring of 1812 that a state of war would come very soon. By May he was certain of it and he jokingly warned his friend Bullus in New York City, who lived near the Battery, that he might be in for a naval shelling. The approaching war with England probably also reminded him of his childhood shame as well as the negative repercussions stemming from the *Chesapeake* incident. His ardent hope was to "send in a few large English prizes this summer." But ideally he longed to be at sea with the other frigate commanders, adding meaningfully, "to be among them is the wish of my soul."⁴¹

That wish would never be fulfilled, for his disability plus the diminished strength of the American navy as the war progressed precluded the opportunity of obtaining a sea command and a chance for glory. Momentarily, that chance nearly materialized. In late July 1812 Gordon was ordered to Charlestown, Massachusetts, to take over the navy yard there and the *Chesapeake* and prepare her for sea. Knowing that it would take months to ready the vessel for combat and that his health still might prevent his taking her to sea, he obtained a change in orders and remained on station in Baltimore.⁴² What would have happened if he had taken over the *Chesapeake* will never be known. His friend Lawrence became her commander instead and in the famous battle with the *Shannon* off Boston in June 1813 Lawrence achieved the fame that officers like Gordon were so ardently seeking.

Gordon's command position at Baltimore, however, did not turn out to be the obscure assignment he had at first feared. In February 1813 a British naval force established a blockade at the Chesapeake Capes and a squadron of that force entered the Chesapeake and began to destroy merchant shipping that had taken refuge within the bay. By April this force had moved up to the Patapsco River and on Easter weekend (April 16) had anchored within sight of Baltimore.⁴³ Although the British did not have the amphibious forces available to make the kind of attack on the city they did one year later, they were quite capable of bombarding the city harbor.⁴⁴ Why they never made that bombardment was never revealed by their squadron commander. At least two obstacles deterred them. One was a shoal in the Patapsco below Fort McHenry that necessitated the British lightening their frigates by removing many of their guns before proceeding any farther upriver. The second obstacle was related to the first.

40. Charles Gordon to John Bullus, April 18 and May 7, 1811, in the Charles Gordon Collection, Miscellaneous Papers, New York City Public Library.

41. The congressmen were probably Nathaniel Macon and his colleagues whom Gordon saw occasionally. Charles Gordon to John Bullus, April 13 and May 4, 1812, Gordon Collection.

42. Secretary of the Navy to Charles Gordon, July 28 and August 1, 1812, Letters from the Secretary of the Navy to Master Commandants, Microcopy 149, Roll 10.

43. For a full account of the activities of Gordon's force in the area in 1813, see W. Calderhead, "Naval Innovation in Crisis: War in the Chesapeake, 1813," *American Neptune*, 36 (July 1976): 206-21. Gordon was promoted to captain at this time, March, 1813.

44. Glenn Tucker, *Poltroons and Patriots*, 2 vols. (Indianapolis, 1954), 1: 296-97.

Gordon had prepared four privateers with heavy guns to move out against the enemy. Normally privateers are no match for frigates, but with the enemy ships weakened by the removal of many of their guns, this became a different matter. The presence of Gordon's squadron may have been just enough threat to cause the British force not to risk an attack. In any event the English waited a few days, stood down the *Patapsco*, and proceeded down the bay where they attacked Norfolk in June.⁴⁵

Gordon's mission now became one of observation and interdiction. Although the ships of his squadron were no match for the enemy, Gordon was ready to introduce a new weapon that had great offensive potential. This was the torpedo which the navy had experimented with in 1810 and had rejected as being impractical. Gordon thought otherwise, and had with him in Baltimore a technical expert on the torpedo, Elijah Mix.⁴⁶ Their first effort to use the torpedo, in the *Patapsco* River, was foiled when the British withdrew to the Norfolk area. Undaunted, Gordon and Mix followed them south. In mid July an ideal target was found in the British ship *Plantagenet*, 74 guns, standing guard near Cape Henry. In darkness and under ideal conditions Mix launched his device, but moments before impact the torpedo exploded prematurely. Instead of sinking the 74, it merely inundated the vessel and did little damage.⁴⁷ Because of this failure, it would not be until the Civil War, fifty years later, that the torpedo would be considered a feasible weapon of war.

By August the British were moving north in the bay again with twenty-three large ships. Gordon's squadron, the only government force available, could only annoy their flanks. Fortunately a heat wave arrived, pushing temperatures to well over one hundred degrees.⁴⁸ Not being used to such weather, sickness and desertion quickly depleted the enemy crews. Making no headway under such conditions, the British gave up their efforts and left the Chesapeake to the Americans.

The summer campaign in the bay would have two consequences for Charles Gordon. First, his wound was beginning to heal and his health had dramatically improved. Furthermore, his efforts against the British found favor with the Navy Department. As a result, in September 1813 he was given command of the frigate *Constellation* at Norfolk. Ironically, by leaving Baltimore Gordon would not be present the following summer when the famous attack at Fort McHenry would take place.

Gordon's new assignment was not the most opportune one, since the ship had

45. Alfred T. Mahan, *Seapower in Its Relations to the War of 1812*, 2 vols. (Boston, 1905), 2: 156-58.

46. Paullin, *Commodore John Rodgers*, pp. 204-5. Rodgers and other senior captains saw little value in the torpedo. Mix joined Gordon at Baltimore in the spring of 1813 (Gordon to Secretary of the Navy, March 13, May 10 and 19, 1813, Letters from Captains to Secretary of the Navy, Microcopy 125, Roll 30).

47. Although the principal historian of the British Navy, R. Clowes, *The Royal Navy*, 6 vols. (Boston, 1901) 6: 176, declared that "nothing had been accomplished" by torpedoes in the war, this would be an exception. The logbook of the vessel attacked also records a torpedo explosion that night (*HMS Plantagenet Logbook*, August 1813, in the collection of logbooks of the Royal Navy in the Manuscript Collection, Library of Congress).

48. A farmer and amateur meteorologist took temperature recordings that summer and although temperatures were in the normal 80s and low 90s range for much of July, they reached 105 degrees on one day at the height of British activity. See *Diary of Clotworthy Birnie*, July and August, 1813, Gift Collection, Hall of Records, Annapolis.

for eight months been immobilized under a tight enemy blockade at the mouth of the Chesapeake. Gordon had to wait for another frigate to be built or accept the command of the blockaded ship and try to escape to sea. Anxious at last to get at the enemy on more even terms, he chose the latter option.⁴⁹ Escaping into the open sea would not be an easy task, for two or more heavy British frigates were constantly on guard at Lynnhaven Bay to prevent such an escape. In addition Gordon had the serious job of sustaining the morale of his officers and crew since service in a vessel under blockade was morale-bending duty. Furthermore, his escape preparations had to be kept secret since only by catching the enemy by surprise and at night did he have a chance to break out of the Chesapeake. Finally, the weather too had to be favorable: a strong southwest wind and an ebbing tide would be the needed ingredients. On two occasions in the winter of 1814 conditions turned favorable and Gordon made a determined effort to break out, but sudden changes in the weather at the last moment stymied both attempts.⁵⁰

The British now introduced a new tactic in their blockade efforts. Knowing that the American cruiser tied down large units of the British fleet just for guard duty, they prepared to end this disparity by challenging Gordon to a single ship-to-ship duel. If the American won, he would be free to proceed to sea unmolested. The offer was tempting because it was exactly what Gordon wanted: a chance for a gun duel with the enemy on rather even terms. But realizing that the long range advantage of such an engagement favored the British, Gordon refused the duel and reassured the Navy Department that he would not be tricked into changing his mind. Still, he expressed a fear that the British captains might attribute his action to possible cowardice.⁵¹

Not only would there be no duel in 1814, but the permission to escape was withdrawn by the Navy Department when it found that the British would make the Chesapeake the scene of a war-ending military operation that spring and summer. The *Constellation* would be used to help defend the Norfolk area from an amphibious attack.⁵² The frigate's role seemed all the more critical after Washington was taken and Baltimore was besieged in the late summer. But the English repulse at Fort McHenry had shaken their morale, and the enemy fleet departed the Chesapeake without testing the Norfolk defenses. Before the war ended in January Gordon made one more effort to escape, but this was foiled by the bitterly cold weather.⁵³

The conclusion of the conflict found Gordon disappointed not only at the sudden ending but also with his role in the entire war. His early disappointment at not getting a much desired sea assignment was now matched by the frustra-

49. Charles Gordon to Secretary of the Navy, August 29, 1813, Letters from Captains to Secretary of the Navy, Microcopy 125, Roll 30.

50. Gordon's exploits as captain of the blockaded *Constellation* are related by W. Calderhead, "USF *Constellation* in the War of 1812 - An Accidental Fleet-in-Being," *Military Affairs*, 30(April 1976): 79-83.

51. Charles Gordon to Secretary of the Navy, March 28, 1814, Letters from Captains to the Secretary of the Navy, Microcopy 125, Roll 35.

52. Secretary of the Navy to Charles Gordon, April 15, 1814, Letters from Secretary of the Navy to Captains, Microcopy 149, Roll 11.

53. Charles Gordon to James Beattly, Navy Agent at Baltimore, December 18, 1814, in the Charles Gordon Papers, Miscellaneous Collection, New York State Historical Society.

tion of not being able to escape with a crack frigate that would have made an excellent account of itself. For the rest of his life he regretted that the moment had passed for him to gain the "most brilliant" of all victories, "that over a proud Briton."⁵⁴

In contrast to Gordon and his modest achievements in the war with Britain, his chief rivals of his earlier career had now embellished their records to an even greater degree and had in fact achieved that elusive fame that all young officers were seeking. Thus Thomas MacDonough and Oliver H. Perry had each defeated strong British naval squadrons on the Lakes. Their deeds brought not only tactical victories against a skillful enemy but they also served to secure for the United States the western boundaries in the peace settlement that followed. Decatur, already famous, added to his luster in a brilliant frigate duel involving the *United States* and the *Macedonian*. And James Lawrence, as noted earlier, established his reputation and coined a motto for the navy in his fatal battle with the *Shannon*.

In fame Gordon's name would not rank among these other four. Yet in other respects their careers were amazingly similar. All were ambitious, three were duellists (Decatur dying at Bladensburg), four died on duty as captains on board their ships, and all five died untimely deaths, with only two reaching the age of forty. Although their lives were incomplete in terms of the normal span, they lacked nothing in heroic fullness, and importantly, they no doubt preferred it that way.

After the war with England had been concluded Gordon had one more chance for glory. In early 1815 a new conflict came with Algiers, and he eagerly joined a naval squadron bound for the Mediterranean under the command of a known fighter, Stephen Decatur. As the squadron passed Gibraltar, Gordon, in the leading ship the *Constellation*, sighted with rare good fortune the Algerine frigate *Mashouda*, the only enemy vessel considered a match for the Americans. The elusive frigate duel that he had sought for two years was now at hand. He pursued the enemy and fired a deadly broadside. But before he could fire again, Decatur with the flagship *Guerriere* moved ahead and between the two combatants, whereupon he riddled the disabled enemy cruiser. Although Decatur had committed a serious breach of courtesy in not allowing the *Constellation* the honor of finishing off the opponent who was rightfully hers, there is no evidence that Gordon took exception to this.⁵⁵

The next year in the Mediterranean saw Gordon engrossed in a round of strenuous activities. But his memory of the past war with England and his not having taken an enemy ship burned deep, and on several occasions he deplored his lack of good fortune in never having "whipped an Englishman." Although he felt that "only another war" could remedy that, he did take pleasure in helping to consummate a treaty with the Algerines that not only guaranteed amity with

54. Charles Gordon to Secretary of the Navy, February 15, 1815, Letters from Captains to Secretary of the Navy, Microcopy 125, Roll 42.

55. Guttridge and Smith, *The Commodores*, p. 278. Historians explain Decatur's untoward action by noting that since he had lost the frigate *President* to the British several months before, he was compelled to do some dramatic act to regain some of his lost prestige. Curiously, none of Gordon's correspondence in 1815 shows any ill feelings concerning the fact that his victory had been stolen from him.

America but also established a relationship with Algeria that was measurably superior to the one the English naval force had engineered.⁵⁶ Even this success came at a price. Due possibly to his diplomatic exertions, his old wound began to act up. A severe case of diarrhea brought complications. In a critical condition, he was carried ashore for much delayed medical attention. But it was too late; he died quietly at Messina, Sicily, on September 6, 1816.⁵⁷ Ironically, the command of the *Constellation* was now taken over by his friend Captain William Crane, the same officer who nine years before had served as second in his first duel. Gordon was buried in the American cemetery at Messina where his remains lie today; the spot is unmarked, for a severe earthquake later destroyed the markers covering the graves.⁵⁸

Charles Gordon was certainly deserving a better fate than he received. Although he never made headlines or won a major battle, he was a hero at least of secondary proportions. In the Barbary Wars, in the years of friction with France and England, and in the War of 1812 that followed, he performed his duties and did them well, in spite of his physical incapacities. His career was typical of many of the successful young officers in the new American navy. The ambition to excel, the keen rivalry with one's peers made sharper in a service that was attempting to economize, the hazards of combat and shipboard life, combined with the dangers of excessive pride were attributes that all aspiring officers shared in the young navy in the new century.

There was one point of major difference between ambitious men like Gordon and those heroes we do remember such as Decatur, Perry, or Lawrence. The latter had not only the requisite heroic qualities but also the good fortune to be at the right place and at the right time. Gordon, by contrast, seemed to have the misfortune of being at the wrong place and at the wrong time. Thus his fated position on the *Chesapeake* in 1807, his foolish duel in 1810, his duty assignment in Baltimore in 1813 rather than 1814, and his mission to escape from Norfolk in the last year of the war rather than the first, all reflect the unfavorable timing that bore upon his career. Finally, there was the strange specter of England that cast its shadow over his life. Special forces sometimes play a role in the lives of men, but seldom is the impact as dramatic as it was in the life of Captain Gordon.

56. Charles Gordon to H. Thorn, Purser, U.S. Navy, March, 1816, and Gordon to Commodore John Rodgers, July 10, 1816, Letters in the Commodore Rodgers Papers, Manuscript Collection, Library of Congress. Transcribed copies are in the Joseph Gordon Letterbook on file with the Kent County Court Records, Hall of Records, Annapolis.

57. Captain Chauncey's letter to the Secretary of Navy, September 13, 1816, suggests that Gordon's death was caused by diarrhea, but Gordon's letters through July show that his old wound had become serious again (See M.I. Radoff, "Captain Gordon," pp. 413-18).

58. *Niles' Weekly Register* of January 11, 1817, acknowledged Gordon's death and declared him to be brave and accomplished. The *Philadelphia Political Register* of March 28, 1817, went further and compared him with the village Hampden in Gray's "Elegy"—which was perhaps a not unfitting tribute.

A Nineteenth Century Baltimore Diplomat: Christopher Hughes Goes to Sweden

CHESTER GRAY DUNHAM

BETWEEN 1816 AND 1818 CHRISTOPHER HUGHES OF BALTIMORE SHARED with Jonathan Russell the responsibility for the American legation at Stockholm. This account of their relationship during that period illustrates some of the problems of American diplomacy in the post-Napoleonic years and reveals something of the personality of Hughes.

Before he accepted the appointment to Sweden, Hughes had searched for several years for the kind of career that seemed congenial to his amiable nature. While the practice of law appeared dull, the practice of politics excited and attracted him—especially in association with the influential Samuel Smith. A diplomatic career appeared as another possibility in 1814 when Hughes was appointed secretary to the American peace commission at Ghent. By early 1816 when Hughes turned thirty, however, he had not yet decided whether to make his career in politics or diplomacy.

In July 1816 Hughes returned to the United States after a brief diplomatic errand to the Caribbean port of Cartagena and went to Washington to report to Secretary of State James Monroe. The voyage to the Spanish Main had exhausted him, and he wanted nothing more than to rest for a while in his comfortable Baltimore home. Certainly he seems to have had no thought of seeking employment or favors of any kind from the Madison administration. He appears to have visited Monroe out of a sense of duty and for no other reason.¹

On receiving Hughes, the secretary of state probably complimented him on his accomplishments at Cartagena and listened politely to a few anecdotes about the mission, but he really wanted to discuss with him the representation of American interests in Sweden. Jonathan Russell, the American minister at Stockholm, had requested permission to leave Sweden on the ground that diplomatic relations with that country had become less important since the restoration of peace in Europe. Russell suggested that the level of American representation might be reduced from that of minister plenipotentiary to that of *chargé d'affaires*. This course of action would injure the sensibilities of the

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1. Hughes to Monroe, July 6, 1815, Monroe Papers, Library of Congress, microfilm series 1, reel 6; Hughes to Monroe, August 1, 1816, Hughes to George Hughes, May 29, 1817, Christopher Hughes Manuscripts, Historical Society of Pennsylvania.

Swedish court less than if diplomatic relations were suspended entirely. The Madison administration generally agreed with Russell but requested that he try to settle certain claims and negotiate a commercial treaty if he could conveniently do so before leaving Sweden. Nevertheless, the administration had granted Russell permission to leave Stockholm whenever he wished. Monroe now wanted to know whether Hughes would like an appointment as secretary of the legation at Stockholm on the understanding that he would become *chargé d'affaires* on the departure of Russell. At that time, the salary of a secretary amounted to \$2,000 per year while that of a *chargé* came to \$4,500 per year. Hughes replied that he would consider the offer and inform Monroe of his decision.²

For about two weeks Hughes deliberated. A year earlier he had won an election to the Maryland general assembly with the support of his father-in-law, Samuel Smith. As a representative of Baltimore, Hughes had enjoyed making laws and speeches, but the duties of this position had occupied only two months of the last twelve. Then the possibility of election to the United States House of Representatives had appeared. Although Hughes began a promising campaign for the more prestigious position of Congressman, he abruptly withdrew in deference to Samuel Smith. The latter, having unexpectedly lost a contest for reelection to the Senate, wanted to remain in Congress in some capacity. Hughes, by withdrawing, facilitated the effort of Smith to retain his political influence. As he assessed his prospects for advancement in politics and diplomacy, Hughes concluded that the latter field held greater immediate promise.³

The comfort-loving Hughes also considered possible financial arrangements. Assuming an appointment lasting three years and assuming Russell's early departure from Stockholm, Hughes reckoned that an outfit of \$4,500 added to an annual salary of an equal amount would total \$18,000 for the period he might remain abroad. In addition, he expected to receive a private income of about \$2,000 annually for a total of \$6,000 for the same period. According to his calculations, therefore, he might expect to receive a grand total of \$24,000 in three years or an average of \$8,000 per year. Furthermore, after breaking up his home in Baltimore and selling his furniture, he could realize a further \$5,000, which sum would help him establish a residence in Stockholm. Hughes concluded that the appointment offered by Monroe would enable him to live as comfortably as he wished and, perhaps, even permit him to save as much as \$1,000 each year.⁴

2. Russell to Monroe, January 9, 1816, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1; Monroe to Russell, May 20, 1816, National Archives, Records of the Department of State, Diplomatic Instructions, All Countries, 8:56-58; Madison to Monroe, July 13, 1816, in *The Writings of James Madison . . .*, ed. Gaillard Hunt, 9 vols. (New York, 1900-10) 8:349-50; Hughes to Monroe, August 1, 1816, Christopher Hughes Manuscripts.

3. Hughes to Monroe, July 19, December 2, 1815, and February 1, 1816, Christopher Hughes Manuscripts; Hughes to Monroe, January 16, 1816, Monroe Papers, Library of Congress, microfilm series 1, reel 6; Hughes to Russell, February 5, 1816, Russell Papers, Brown University Library; Hughes to Clay, September 13, 1816, in *The Papers of Henry Clay*, ed. James F. Hopkins and Mary W. M. Hargreaves, 2 vols. (Lexington, Ky., 1959-), 2:231-33.

4. Hughes to Monroe, August 1, 1816, Christopher Hughes Manuscripts. In the diplomatic service of the United States early in the nineteenth century, an outfit was a sum of money, equal to a year's salary, which was paid to a newly appointed diplomat to enable him to establish a residence at his post abroad.

In view of these financial considerations, Hughes decided that he could afford to accept the appointment. On August 1 he wrote a long letter to Monroe explaining his assumptions and calculations and then declaring, "I have determined, with the consent and approbation of Mrs. Hughes, to embark in the proposition [with which] you have honoured me. . . ." ⁵ He added that he had resigned his seat in the Maryland legislature in order to be able to accept the new position. On the same day, Hughes also wrote to the president agreeing to the proposition "to go to Sweden as Secretary of Legation, and to remain as the Charge des affaires [*sic*] . . . in succession to Mr. Russell. . . ." ⁶

Despite his decision to accept the appointment, however, Hughes did not sail for Europe until early November. He became ill; his wife Laura had a miscarriage; and there was some delay in obtaining accommodation aboard a ship sailing in the general direction of Sweden. Besides, he had the task of breaking up his household in Baltimore and packing for a stay of several years in Stockholm. ⁷

In addition, Hughes remembered the precipitate way in which he had gone off to Ghent in 1814, and now he wanted to proceed to Stockholm in a more deliberate manner. He wrote to his recently acquired friend, Harrison Gray Otis:

It occurs to me that you may have it in your power to be useful to me. I may be in many parts of Europe before I come home. The last time I started back for most [*sic*]. Now, I want to start right. Letters are no trouble to carry and very expedient to have. If you can give or get me any, no matter to what place, I will thank you for them. . . . ⁸

Otis responded with a letter of introduction to his uncle, Harrison Gray, then living in London.

Hughes approached other prominent persons with the same request and eventually collected forty-five letters of introduction. Among those who supplied the letters were William H. Crawford, then secretary of the treasury, and Sir Charles Bagot, the British minister at Washington. Among the addressees were the Duke of Wellington, then at Paris, and Alexander Baring, the London banker. By means of these letters, Hughes could expect to gain entry into diplomatic and business circles in London, Paris, Brussels, Copenhagen, Stockholm, and elsewhere. ⁹

When the departure of Hughes became imminent, the secretary of state prepared instructions for him:

Mr. Russell, in case he is still at Stockholm, will present you to the Government of Sweden, as Secretary of Legation, and on his departure, you will take the

5. Hughes to Monroe, August 1, 1816, Christopher Hughes Manuscripts.

6. Hughes to the President, August 1, 1816, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

7. Hughes to Russell, August 6, 1816, Russell Papers; Hughes to Monroe, August 10, 1816, Monroe Papers, microfilm series 1, reel 6; Hughes to Monroe, September 5, 1816, Christopher Hughes Manuscripts; Hughes to Monroe, September 24 and October 19, 1816, both in National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

8. Hughes to Otis, September 30, 1816, Otis Papers, Massachusetts Historical Society.

9. Christopher Hughes manuscript notebook, Hughes Papers, William L. Clements Library; Hughes to Crawford, October 22, 1816, Crawford Papers, Duke University Library.

character of Charge d'Affaires, and perform the duties incident thereto. If he should have departed before your arrival, you will present your Commission of Secretary of Legation to the Secretary of State [of Sweden], and inform him that you are authorized to act as Charge des Affaires [sic]. . . . The instructions heretofore given to Mr. Russell with those now sent by you will be your guide. . . . Although a general peace is established throughout Europe, yet there seem to be some symptoms of inquietude. . . . It is expected that you will attend to every movement of any importance, and communicate it to this Department. . . . You will receive under cover with this a Letter of Credit on our Bankers in London, by which you will perceive you are authorized to draw on them for your Salary at the rate of \$2,000 per annum, and for a Quarter's Salary to meet the expenses of your Voyage. . . .¹⁰

At the same time Monroe prepared these instructions for Hughes, he prepared instructions for Russell as well:

As it is somewhat uncertain whether Mr. Hughes may find you at Stockholm, or if he does, whether you can remain there without making a sacrifice which it would be improper to ask, I forbear to press the subject of the [commercial] convention or of the claims [settlement] upon you further. . . . Should it happen from any cause that you have not succeeded in bringing them to a close, the former may be transferred to this country where it would seem that . . . [the Swedish minister] . . . has full powers to act on it and the latter may be confided to Mr. Hughes, who, with the aid of the information it will be in your power to give him, will it is hoped be able ultimately to settle it. . . .¹¹

Hughes carried these instructions with his own and was to be guided by them in the absence of Russell.

Besides letters of introduction, instructions for himself, and instructions for Russell, Hughes also carried official communications addressed to the American legations at London, Paris, and St. Petersburg. With the approval of Monroe, Hughes intended to visit the first two cities to deliver the communications personally to John Quincy Adams and Albert Gallatin, the American ministers, respectively, to Great Britain and France. With the assistance of one of those ministers, he hoped to forward the official mail for St. Petersburg by Russian embassy courier from London or Paris. In the early nineteenth century the United States maintained no regular courier service to American diplomatic missions and relied on trustworthy travelers, who chanced to visit European capitals, to carry official despatches and instructions.¹²

After waiting several days for the official mail from Washington and for a favorable wind on Chesapeake Bay, Hughes embarked on the *Emily* at Balti-

10. Monroe to Hughes, November 1, 1816, National Archives, Records of the Department of State, Diplomatic Instructions, All Countries, 8:115.

11. Monroe to Russell, November 1, 1816, in *ibid.*, 8:108.

12. Christopher Hughes manuscript notebook, Hughes Papers; Hughes to Monroe, October 28, 1816, and Hughes to Secretary of State, November 3, 1816; both in National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

more on the morning of November 5. Accompanying him were his wife and two servants. Their immediate destination was London.¹³

Hughes reached the British capital on December 12 and wrote immediately to Monroe:

I have . . . heard . . . of the recent departure of Mr. Russell for the United States. I shall proceed to Stockholm, with every practicable despatch, consistent with the season and the delicate health of Mrs. Hughes. . . . As Mr. Russell has left Stockholm, I suppose my situation of Charge d'Affaires may be considered as having commenced. May I beg of your kind attention to direct a corresponding credit to be opened for me, with Messrs. Barings, for my salary and outfit. . . .¹⁴

Two and a half years earlier, Hughes had sailed across the North Sea twice, and he now remembered how cold and stormy such a voyage could be during the winter season. For his own comfort and for the health of his wife he preferred to postpone the onward trip to Sweden until the weather improved.

The next day Hughes called on Adams, delivered both official and private mail, and chatted for about two hours. He mentioned his reluctance to cross the North Sea during the winter and his intention to spend six weeks in London and a similar period at Paris before proceeding to Stockholm. The time in London would enable Hughes and his wife Laura to rest after their trip across the Atlantic, to purchase some furnishings for their residence in Stockholm, and to visit with Laura's sister, Mrs. Mansfield, and her husband.¹⁵

On Christmas Day, Hughes, his wife, and several other guests dined at the Adams home in suburban Ealing.¹⁶ Earlier, Hughes had requested Adams to recommend some books on diplomacy which he might buy in London and take along to Stockholm to study.¹⁷ Adams gave serious consideration to this request, prepared a list of two dozen works, and had it ready to present on December 25. In a covering letter he declared that "the enclosed list will more than suffice for eighteen months or two years reading," and then he added:

But as you have a *Career* before you, and do me the favour to consult my opinion, I would suggest to you the utility of preparing your mind for application, when you return home, to the *history*, the internal *interests*, and the external relations of our own *country*. . . .¹⁸

The party broke up by eleven o'clock in the evening; it marked the continuing, friendly teacher-pupil relationship between Adams and Hughes.

Before Hughes and his wife left England, they also restored their previously

13. Hughes to Monroe, November 3, 1816, Christopher Hughes Manuscripts; Hughes to Secretary of State, November 5, 1816, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

14. Hughes to Monroe, December 12, 1816, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

15. J. Q. Adams diary, December 13, 1816, Adams Papers, Adams Manuscript Trust, Massachusetts Historical Society, reel 33.

16. *Ibid.*, December 25, 1816.

17. Hughes to Adams, November 1816 (Ship Emily, at sea), Adams Papers, reel 434.

18. Adams to Hughes, December 25, 1816, Hughes Papers.

strained relations with his wife's relatives, the Mansfields. As a consequence, Hughes had additional social opportunities to become acquainted with prominent persons in England, and he and his wife acquired, at the Mansfield residence, something of a home away from home.¹⁹

The next stop on the Hughes itinerary was Paris. Traveling with Mr. and Mrs. Robert Patterson, wealthy friends from Baltimore, Hughes and his wife arrived in the French capital in the middle of January. Losing no time, Hughes called on Gallatin, who, "with his usual kindness went the rounds with me to leave my letters and cards."²⁰ Invitations to receptions, dinners, and dances soon poured in. Hughes had met the Duke of Wellington in Paris in 1814, and now he renewed the acquaintance. Writing to Adams, Hughes related:

In 2 hours I had an invitation to dine from [the] Duke of Wellington. . . . He gave me a most marked reception! took my hand, said he was glad to see me again and remarked that he was not in the same house, as when I was last in Paris! "No!" thinks I to myself, "but you are much better established!"²¹

The social round continued for Hughes and his wife until they resumed their journey toward Stockholm early in March.²²

Proceeding by easy stages via Brussels and Copenhagen, they reached the Swedish capital toward the end of April 1817. Along the way Hughes saw some of his old friends from Ghent and made new acquaintances by means of his letters of introduction. This final part of the journey required more time than was perhaps anticipated because Laura Hughes had become pregnant again, and her husband wanted to do everything possible to avoid another miscarriage. Fortunately, they arrived without mishap and looked forward to representing their government in Sweden for a number of years.²³

Before Jonathan Russell left Stockholm in the autumn of 1816, he had tried to carry out his instructions with respect to a commercial convention and a claims settlement. On September 4 he and Count Laurent d'Engestrom, the Swedish Minister for Foreign Affairs, signed a treaty designed to place "the commerce between the two states upon the firm basis of liberal and equitable principles, equally advantageous to both countries. . . ." ²⁴ Article 1 of the treaty provided that:

There shall be between all the territories under the dominion of the United States of America and of His Majesty the King of Sweden and Norway a reciprocal liberty of commerce. The inhabitants of either of the two countries shall have

19. J. Q. Adams diary, January 4, 1817, Adams Papers, reel 33; Hughes to Adams, [4 January 1817], Adams Papers, reel 436.

20. Hughes to Adams, January 10 and 20, 1817, Adams Papers, reel 436.

21. Hughes to Adams, January 20, 1817, Adams Papers, reel 436.

22. Hughes to Adams, January 25, February 5, March 6, 1817; Adams Papers, reel 436.

23. Hughes to Adams, May 1, 1817, and Norbert Cornelissen to Adams, May 10, 1817, Adams Papers, reel 437. Hughes to Secretary of State, May 5 and 22, 1817, and Hughes to John Graham, May 6, 1817, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

24. Copy of treaty enclosed with Russell to Monroe, September 5, 1816, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

liberty, with all security for their persons, vessels and cargoes, to come freely to all ports, places and rivers within the territories of the other into which the vessels of the most favoured nations are permitted to enter. . . .²⁵

Subsequent articles applied these principles specifically to duties levied on imports, to fees charged for services to vessels, and to the treatment accorded to cargoes whether discharged or not. Article 5 provided for consular relations:

The high contracting parties grant mutually the liberty of having in the places of commerce and ports of the other, consuls, vice-consuls or commercial agents who shall enjoy all the protection and assistance necessary for the due discharge of their functions. . . . The archives and documents relative to the affairs of the consulate shall be protected from all examination and shall be carefully preserved. . . . The consuls and their deputies shall have the right . . . to act as judges and arbitrators in the differences which may arise between the captains and crews of the vessels of the nation whose affairs are entrusted to their care. . . .²⁶

The treaty was to remain in force for eight years following the exchange of ratifications.

Russell had less success with the matter of claims. In 1810 over 500 bales of cotton and other merchandise, belonging to Stephen Girard and several other American merchants, were landed at Stralsund in Swedish Pomerania and passed through customs after the payment of import duties. At the order of the French occupational authorities, Swedish officials sequestered this American property. Although the French subsequently withdrew or cancelled this order, the Swedish officials in 1811 proceeded to sell the merchandise for the account of the Swedish government. The property, thus disposed of, was originally valued in the United States at 110,000 Spanish dollars, was valued at 192,000 rix dollars in Pomeranian currency when sequestered, and was actually sold to a single merchant for 151,000 dollars in the same currency. Despite the repeated efforts of American representatives to prevent sequestration and sale of these goods and, eventually, to obtain recompense for the merchants in the United States, the Swedish government, while tacitly admitting the justice of the American claims, displayed no disposition to settle them. Concluding that a quick settlement of this matter was impossible, Russell "decided on leaving it in a form that should attract the attention of the Swedish government and facilitate the labours of my successor."²⁷ Accordingly, he vigorously summarized the American case in a note to Engestrom on September 3. Several days later the Swedish foreign minister acknowledged the receipt of the note. By reasserting the Stralsund claims and negotiating a treaty of commerce, Russell had accomplished as much as could be expected under the circumstances, and he therefore felt free to return to the United States.

Earlier, Monroe had instructed Russell concerning his departure from Stockholm:

25. Copy of treaty enclosed with Russell to Monroe, September 5, 1816, *ibid.*

26. *Ibid.*

27. Russell to Monroe, September 9, 1816, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

A Secretary of Legation will be appointed without delay, who will be ordered to repair to Stockholm, and be authorised to take charge of our affairs, on your leaving it. . . . Should he not arrive before your departure . . . , you may leave the papers of the Legation, with some trust-worthy individual, who may be willing to take care of them without any claim to official emolument.²⁸

On September 9, 1816, Russell was ready and eager to leave Stockholm. Because no successor had arrived and because he had not even heard of the appointment of one, Russell entrusted a trunk containing the legation papers to his good friend Count de Rumigny, the young *chargé d'affaires* of France. In a note "for his successor," Russell described the contents of the trunk: "the archives of the American legation, a copying machine, three prints of the American naval victories and a gilt and bronzed Eagle which has served to support the canopy of Mr. Russell's bed."²⁹

In the middle of October and in the midst of preparing to embark at Liverpool for the United States, Russell received word of the appointment of Hughes. He immediately wrote a friendly letter to his former associate at Ghent:

I felicitate you with a full heart on the successful performance of the trust confided to you at Carthagena and St. Martha and on your appointment to the Court of Stockholm. . . . Among the fashionables my friends Rumigny and Bodisco—the former the French charge d'affaires and the latter secretary to the Russian embassy—will procure you all that is desirable. They both speak English well and I have required of them all . . . their good offices in your behalf. Among the citizens I recommend you to be acquainted . . . with David Erskine and Co. The last named gentlemen I advise you to employ as your bankers. With regard to official business you will find very little to do. I have left the archives of the legation in the possession of M. Rumigny. . . . From the archives you will learn what has been done and what still remains for you to accomplish. . . . Mr. D. Erskine will hand you this letter. . . .³⁰

After arriving in Stockholm toward the end of April 1817, Hughes received the letter from Erskine and the trunk from Rumigny. He considered himself the American *chargé d'affaires* and proceeded to act accordingly.³¹

He promptly presented himself to the Swedish government. On the day following his arrival the Prince Royal received him in a private audience and ceremoniously declared that Sweden sincerely desired to cultivate friendly intercourse with the United States. The king and queen soon extended a similar welcome to Hughes. Although the Swedish government recognized Hughes immediately as the official representative of the United States, the foreign minister suggested that court custom generally required the presentation of a letter of credence of some sort. Feeling the awkwardness of his situation, Hughes soon sent a request to Washington for his commission as *chargé* and for

28. Monroe to Russell, May 20, 1816, National Archives, Records of the Department of State, Diplomatic Instructions, All Countries, 8:56-58.

29. Russell to his successor, September 9, 1816, Hughes Papers.

30. Russell to Hughes, October 17, 1816, Hughes Papers.

31. Hughes to Adams, May 1, 1817, Adams Papers, reel 437; Hughes to Adams, July 30, 1817, Adams Papers, reel 438.

an explanatory letter from the secretary of state to Engstrom, the Swedish foreign minister. At the time Hughes possessed only his commission as secretary of legation, and Russell, though on leave of absence, remained the accredited minister as far as the Swedish government was concerned.³²

Besides containing polite expressions of friendship, the initial conversations between Hughes and prominent persons in the Swedish government touched on the Russell treaty and the Stralsund claims. The Swedes were delighted that the treaty had been concluded and were eager to hear of the ratification of it by the United States. Moreover, Hughes received the impression that the Swedish government preferred to receive word of the ratification before giving further consideration to the claims. Consequently, Hughes reported to the Department of State that "on the arrival of the Ratification of the Treaty, I propose to revive and urge this business [of the claims] upon the Minister of Foreign Affairs."³³

Several weeks after Hughes assumed charge of American affairs at Stockholm, he began to receive disquieting reports. About the middle of May, a friend in London informed him that the Senate had rejected the Russell treaty. Ten days later, he heard that the Senate had approved the treaty, but with modifications. Finally, at the end of the month he received a letter from his father-in-law mentioning that Russell intended to return to Stockholm as American minister. Suddenly all of the hopes and calculations of Hughes for the next several years appeared shattered.³⁴

He wrote to Monroe, Crawford, and Adams, expressed the hope that Russell would not return to Stockholm, explained the basis on which he had accepted his appointment, declared that his displacement by Russell would almost ruin him financially, and appealed for a transfer to another post as *chargé* if Russell should return. Hughes faced not only a loss of \$2,500 per year in salary but a reduction in status from *chargé* to secretary. The prospect of this double blow tormented him increasingly the longer he brooded over it.³⁵ As Hughes wrote to the president, the possibility of Russell returning "has really appeared so extraordinary to me, and given me so much uneasiness, that I shall scarcely know what to think, or what to do, until I am informed, whether or not, the Government will permit him to do so."³⁶

Hughes remained in suspense for three months. Then in August he received word from Acting Secretary of State Richard Rush that:

The President has determined to allow you an outfit as Charge D'Affaires at Stockholm, in addition to the salary provided by law, and I enclose a letter to Messrs. Baring Brothers and Company, bankers of the United States in London,

32. Hughes to Secretary of State, May 5, 1817, and Hughes to John Graham, May 6, 1817, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

33. Hughes to John Graham, May 6, 1817, in *ibid.*

34. Hughes to Secretary of State, May 12 and 22, 1817, in *ibid.*; Hughes to Monroe, May 26, 1817, Monroe Papers, microfilm series 1, reel 6; Hughes to the President, May 27, 1817, and Hughes to George Hughes, May 29, 1817, Christopher Hughes Manuscripts.

35. Hughes to Monroe, May 26, 1817, Monroe Papers, microfilm series 1, reel 6; Hughes to Adams, July 30, 1817, Adams Papers, reel 438; Crawford to Hughes, October 2, 1817, Hughes Papers.

36. Hughes to the President, May 27, 1817, Christopher Hughes Manuscripts.

authorizing and requesting them to pay your drafts accordingly; viz. — for four thousand five hundred dollars, the amount of your outfit, — and for your salary, at the rate of four thousand five hundred dollars a year until the period of Mr. Russell's return, as Minister Plenipotentiary to Stockholm.³⁷

Hughes now knew that he could expect Russell to return, but he did not know how the return would affect him — whether he would remain at Stockholm in a subordinate capacity, be transferred to another post as *chargé*, or even be required to return to private life in the United States.³⁸

Without newspapers from the United States and with only fragmentary information contained in personal letters from friends and relatives, Hughes could not understand for a long time why Russell was to return to Sweden or what had happened to the Russell treaty in the Senate. Eventually he learned that the Senate had approved the treaty except for three of the fourteen articles. Also he learned that the administration in Washington had good reasons for sending Russell back to Stockholm. Not only had Russell negotiated the treaty and thereby become familiar with the interests and concerns of the Swedish government, he had also acquired an understanding of the sentiments of the Senate and the desires of the administration concerning the modified treaty. Better than anyone else he could explain the Senate action to the Swedish government and, at the same time, try to persuade the latter to accept the modifications. While Hughes came to understand how the return of Russell was intertwined with the fate of the treaty, he nevertheless continued to ponder his own future career.³⁹

Advice from his highly placed friends influenced him to accept with equanimity his impending subordination. After ascertaining the views of Monroe, Crawford wrote that "I hope you will reconcile it to your feelings . . . to remain at Stockholm as Sec^y of legation until the President can place you in a more eligible situation."⁴⁰ Similarly, Clay urged that Hughes "acquiesce, with a good grace . . . , and to patiently wait a more favorable turn of events."⁴¹ Finally, Adams, the new secretary of state, formally communicated that "the President approves of your conduct during the period that you were charged with the affairs of the United States at Stockholm."⁴²

Between the end of April when Hughes assumed charge of American affairs at Stockholm and the end of December when Russell superseded him, three problems involving the United States arose. None of these ranks in importance with the commercial treaty or the Stralsund claims, but all three required Hughes to exercise a certain amount of diplomatic ability and resourcefulness.

37. Rush to Hughes, June 9, 1817, National Archives, Records of the Department of State, Diplomatic Instructions, All Countries, 8:141-42.

38. Hughes to Adams, August 25, 1817, Adams Papers, reel 438.

39. Rush to Russell, August 14, 1817, National Archives, Records of the Department of State, Diplomatic Instructions, All Countries, 8:145-47; Crawford to Hughes, October 2, 1817, and Clay to Hughes, October 9, 1817, Hughes Papers; Hughes to Adams, October 8, 1817, Adams Papers, reel 440; Hughes to Adams, January 17, 1818, Adams Papers, reel 442.

40. Crawford to Hughes, October 2, 1817, Hughes Papers.

41. Clay to Hughes, October 9, 1817, *ibid.*

42. Adams to Hughes, November 13, 1817, National Archives, Records of the Department of State, Diplomatic Instructions, All Countries, 8:172-73.

The first problem stemmed from a mutiny aboard the American schooner *Plattsburg* of Baltimore in the summer of 1816. Nine members of the crew killed the officers, sailed the vessel to a Norwegian port, and then disappeared with \$40,000 in specie which had been aboard. After a time one of the mutineers, Nils Peterson Fogelgren, was arrested by the Swedish authorities at Gothenburg. Learning of this arrest, Hughes requested the Swedish government to place the prisoner in the custody of the American consular officer at that port for the purpose of sending him to the United States to stand trial. Though apparently reluctant at first, the Swedish government granted the request, and Hughes instructed the consular officer to put the prisoner aboard the first American vessel bound for the United States. Eventually, Fogelgren arrived at Boston where he was to be tried by the United States circuit court. If Hughes had not energetically intervened in this affair, the Swedish authorities would probably have set the prisoner free. Motivating Hughes was the desire to show the world that mutiny could not be committed with impunity aboard American ships.⁴³

The second problem concerned American consular representation at Gothenburg. In 1814 Nathaniel Strong, an American citizen, arrived at that port as the regularly appointed American consul. A year or so later he decided to return to the United States and requested Joseph Hall, a local Swedish merchant, to perform the duties of consul until the United States government should make an appropriate appointment. Subsequently, the Swedish authorities jailed Hall for customs house irregularities. As a consequence there was no American consular officer to assist American vessels at the most important port in Sweden at the beginning of the 1817 shipping season. Acting on the advice of the provincial governor, Hughes authorized C. A. Murray, also a local Swedish merchant, to perform the consular duties until the government at Washington determined how the United States should be represented at Gothenburg. Although Hughes possessed no authority to appoint a consular officer, he had the duty of trying to promote American trade. In this matter he acted with initiative and determination and hoped that his government would support him.⁴⁴

The third problem was also related to the promotion of American commerce. Many American ships discharged their cargoes in English, French, and Dutch ports before proceeding in ballast to Swedish ports to load cargoes of iron ore for the United States. The supercargoes preferred to leave their ships before the discharging had been completed in order to travel overland to Sweden quickly and make their commercial arrangements before the ships arrived in Swedish ports. Their purpose in traveling overland ahead of their ships was to save time and expense, especially at the end of the shipping season when storms became more frequent and ice threatened to block Swedish ports. However, the super-

43. Hughes to Secretary of State, May 22, 28, July 26, August 18, September 4, 1817, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1; Adams to Hughes, November 13, 1817, National Archives, Records of the Department of State, Diplomatic Instructions, All Countries, 8:172-73.

44. Hughes to Secretary of State, May 28 and June 5, 1817, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1; Hughes to C. A. Murray, June 2, 1817, and Hughes to Joseph Hall, June 2, 1817, Russell Papers; Fred L. Engelman, *The Peace of Christmas Eve* (New York, 1962), pp. 83, 101.

carriages often had to wait two weeks or more at Copenhagen before they could obtain the permission of the police authorities at Stockholm to enter Sweden. Learning of this problem, Hughes proposed to the Swedish government that American merchants, bearing passports issued by the American consul at Copenhagen and given visas by the Swedish minister in the same place, be permitted to enter Sweden without further formality. A few days later the Swedish government not only accepted this proposal with respect to American merchants at Copenhagen but extended similar privileges to those at Gothenburg and Christiansand. It was several years before merchants of other nations received the same privileges. Although the solution of this problem required little effort on the part of Hughes, he perceived an opportunity to aid his countrymen and made the most of it.⁴⁵

On December 20, 1817, Jonathan Russell arrived at Stockholm and assumed charge of the American legation. As a consequence, Hughes automatically reverted to his position as secretary. Both regarded their new relationship as a delicate one, yet each was disposed to tolerate the other for as long as necessary.⁴⁶

At their first encounter after nearly three years, Russell and Hughes frankly explained to each other their views and intentions concerning the American diplomatic mission in Sweden. As far as the administration in Washington was concerned, Russell had returned to persuade the Swedish government to accept the commercial treaty as modified by the Senate. As far as he personally was concerned, Russell seems also to have had private reasons for returning. Aware that he had embarrassed Hughes with respect to both status and salary, Russell asserted that his stay would be limited and that Hughes could expect soon to become *chargé* again. For his part Hughes wanted to maintain a harmonious relationship with Russell, but because of financial and other reasons, he wanted also to resume his character as *chargé*, either at Stockholm or elsewhere, with as little delay as possible. Having thus forthrightly declared themselves, they assumed a friendly posture toward each other but more or less went their separate ways.⁴⁷

Although Hughes had been superseded, he remained a diplomat. Several days before Russell returned, Laura Hughes had given birth to a baby boy. The delighted father then had the perplexing problem of finding a suitable name for his son. Unwilling to perpetuate the name Christopher, the name of his own tyrannical father, Hughes searched for some other name which would please everyone rather than offend someone—or which would at least be generally acceptable to relatives, friends, and others. He solved the problem by deciding to call his son Charles John, after the Prince Royal of Sweden.⁴⁸

45. Hughes to Adams, August 25, 1817, Adams Papers, reel 438; Hughes to Secretary of State, September 1 and 3, 1817, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

46. Russell to Clay, January 12, 1818, in Hopkins and Hargreaves, *The Papers of Henry Clay*, 2:426; Hughes to Adams, January 17, 1818, Adams Papers, reel 442.

47. Russell to Clay, January 12, 1818, in Hopkins and Hargreaves, *The Papers of Henry Clay*, 2:426; Hughes to Adams, January 17, 1818, Adams Papers, reel 442.

48. Hughes to Gallatin, December 16, 1817, Gallatin Papers, New-York Historical Society; Hughes to William E. Williams, August 25, 1818, Otho Holland Williams Papers (Ms. 908), Maryland Historical Society; *Extrait du Livre des Baptemes a la Paroisse St. Claire en Stockholm*, April 23, 1838, [Baptismal certificate of Charles John Hughes], Hughes Papers.

Eager to flatter and please, Hughes intimated to the Prince Royal that the latter could strengthen Swedish-American relations by standing as sponsor for the infant Charles John at a baptism ceremony. Probably the Prince Royal personally liked Hughes and was willing to participate in such a ceremony for this reason alone. Possibly, however, he did not want to jeopardize the ratification of the commercial treaty by a rebuff to Hughes. At any rate, on January 27, 1818, the baptism took place, with the Prince Royal serving as godfather and Countess d'Engestrom as godmother. Most of the diplomatic corps attended the ceremony, but the dour Russell stayed away because of what he regarded as the importunity of his subordinate. After the ceremony, the Prince Royal and his son remained several hours in the Hughes home, conversed in an amiable manner, and gave the impression that they had appreciated the occasion.⁴⁹

Several days later, Countess d'Engestrom, on behalf of the Prince Royal, presented a diamond cross on a pearl necklace to Laura Hughes in accordance with Swedish custom. Promptly, but politely, Hughes returned the present, pointing out that accepting it would be contrary to the spirit if not the letter of the United States Constitution. Subsequently Hughes claimed credit for taking the initiative in this self-denying action, but Russell believed his influence had been decisive. While somewhat awkward for Hughes, this episode of the baptism present was soon overshadowed by a momentous event.⁵⁰

Charles XIII, King of Sweden and Norway, died on February 5, and the Prince Royal, Charles John, was immediately proclaimed his successor. Although originally French and one of Napoleon's marshals, Charles John had been adopted by the old king as his son, and the succession had been sanctioned by the legislatures of both Sweden and Norway.⁵¹ Nevertheless, the new king probably wondered whether the powers of Europe would regard his succession as legitimate. Reporting this matter to Washington, Russell requested that he be accredited to the new king:

To refuse these credentials might . . . be regarded here as proceeding from a want of courtesy towards the reigning monarch, who in the extraordinary circumstances in which he is placed, would . . . feel the discontinuance of the Minister Plenipotentiary of the United States, already accredited to his predecessor, as an indication of disrespectful, if not unfriendly, sentiments towards him.⁵²

While Russell now had a good reason to extend his stay at Stockholm, the godfather of the son of Hughes had become the king of Sweden and Norway.

Shortly before the death of the old king, Russell had reported that the Swedish government accepted the commercial treaty, as modified by the Senate, and wished ratifications to be exchanged at Stockholm. He had also expressed the hope that Washington might send the ratification to him as quickly as possible

49. Hughes to Monroe, August 20, 1818, Monroe Papers, microfilm series 1, reel 7; Draft of Russell to John S. Smith, October 7, 1818, Russell Papers.

50. Hughes to Monroe, August 20, 1818, Monroe Papers, microfilm series 1, reel 7; Draft of Russell to John S. Smith, October 7, 1818, Russell Papers; Hughes to Engestrom, February 1, 1818, and Engestrom to Hughes, February 15, 1818, Hughes Papers.

51. Russell to Adams, February 8, 1818, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 1.

52. *Ibid.*, February 11, 1818.

in order that American trade could benefit from the treaty during the 1818 shipping season.⁵³

Somewhat earlier Russell had recommended that his friend, the Scottish banker David Erskine, be appointed American consul at Stockholm. Both Russell and Hughes agreed that such an appointment would benefit American trade and be helpful to American seamen.⁵⁴

Because of the slow communications between Sweden and the United States during the early nineteenth century, Russell received no response from Washington on the letter of credence, the treaty ratification, or the consular appointment until late in the summer. Then almost simultaneously he received positive replies on all three matters. As a consequence, David Erskine not only became the regularly appointed American consul in Stockholm, but Murray's provisional appointment at Gothenburg by Hughes was also confirmed. In addition, Russell delivered a letter of credence to the new king and exchanged treaty ratifications with Count d'Engestrom.⁵⁵ In sending the positive replies to Russell, Adams instructed him in the following manner:

It is not expected . . . that there will be any necessity for protracting your residence at Stockholm. . . . The President wishes you to make your arrangements according to your own convenience, to take leave of the Court of Sweden in the course of the present year and to commit the affairs of the Legation again to the charge of Mr. Hughes.⁵⁶

Russell had accomplished his mission in Sweden and was now under an injunction to depart.

On October 16, 1818, he took leave of the king, and six days later he left Stockholm. Before leaving he had again vigorously raised the matter of the Stralsund claims with the Swedish government, and he continued a fruitless correspondence on this subject with Count d'Engestrom from Berlin and Vienna for almost two months. However, on the departure of Russell, Hughes again became *chargé d'affaires*.⁵⁷

53. *Ibid.*, January 26, 1818.

54. *Ibid.*, January 20, 1818; Hughes to Adams, January 17, 1818, Adams Papers, reel 442.

55. Russell to Adams, September 26, 1818, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 2.

56. Adams to Russell, May 22, 1818, National Archives, Records of the Department of State, Diplomatic Instructions, All Countries, 8:181-82.

57. Russell to Adams, October 20, 1818, and February 22, 1819, National Archives, Records of the Department of State, Despatches from U.S. Ministers to Sweden and Norway, vol. 2; Hughes to Adams, October 23, 1818 (no. 1) and October 23, 1818 (private), in *ibid.*, vol. 3.

A Nineteenth Century Portraitist and More: James Alexander Simpson

KENNETH C. HALEY

JAMES A. SIMPSON (1805–80) FIRST COMES TO LIGHT AS AN INSTRUCTOR OF drawing and painting at Georgetown College, where a prospectus of 1825 listed him as a member of the faculty.¹ Living in Georgetown, D.C., until 1860, he painted portraits and apparently only taught when there were enough students to form a class. A letter from him to the college treasurer in September 1851 asked if the treasurer thought it “expedient to get up a class of drawing.”² If so, Simpson was to be informed of the number of students.

Some of his earliest works found to date are closely related to Georgetown College (the university owns his only known landscapes). In 1831 he painted one view of the school (figure 1) and then in 1833 he completed two more. The earliest version was painted in a raking light that is characteristic of many primitive landscape painters. Trying to be as exact as possible, he noted the time of day and distance from the college on the back of the canvas (figure 2): “Southeast, end view of the G.T. College from Trinity steeple / Distance 795 yards. Sun Rays at 2 o'clock Sept. 7, 1831.”³

Simpson skillfully rendered the various buildings, but his lack of atmosphere and conceptualized clouds point to the fact that he must have been self-taught. In this view of the college from the steeple, the sun's rays are painted to resemble solid bars of light rather than a natural phenomenon. The Jesuits, clad in long black habits, sedately stroll across the campus. Workmen go about carrying wood and pumping water on the quadrangle where a fountain is now located. The students in school uniforms have taken respite from their studies and chase one another across campus or play handball. The uniforms, consisting of a blue coat, blue pants and a red waistcoat with large yellow buttons, even impressed George Washington on one of his visits to the campus.⁴

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1. Facts about Simpson's life are drawn from the letters of Francis A. Barnum, S.J., Georgetown University's first archivist from 1898 to 1920. In his handwritten account of Simpson he assumed the painter was from England, although no documentation is given. He stated that the artist settled in Frederick, Maryland, and later moved to Georgetown where he “evidently became very intimate with Ours.” (Francis A. Barnum letters, p. 13. Lauinger Library Archives, Georgetown University, Washington, D.C.)

2. A letter from James A Simpson to the college treasurer, dated September 25, 1851, now lost. Reference in Barnum papers.

3. Today the church is located on N Street between 35th and 36th Streets, N.W., Washington, D.C.

4. John M. Daley, S.J., *Georgetown University: Origin and Early Years* (Washington, D.C., 1957) p. 55.



Figure 1. Georgetown College from Trinity Church Steeple, signed and dated September 7, 1831, on back of canvas, signature carved on rock in right bottom corner, oil on linen, pine mortise stretcher, 25" x 30". *Courtesy of Georgetown University.*

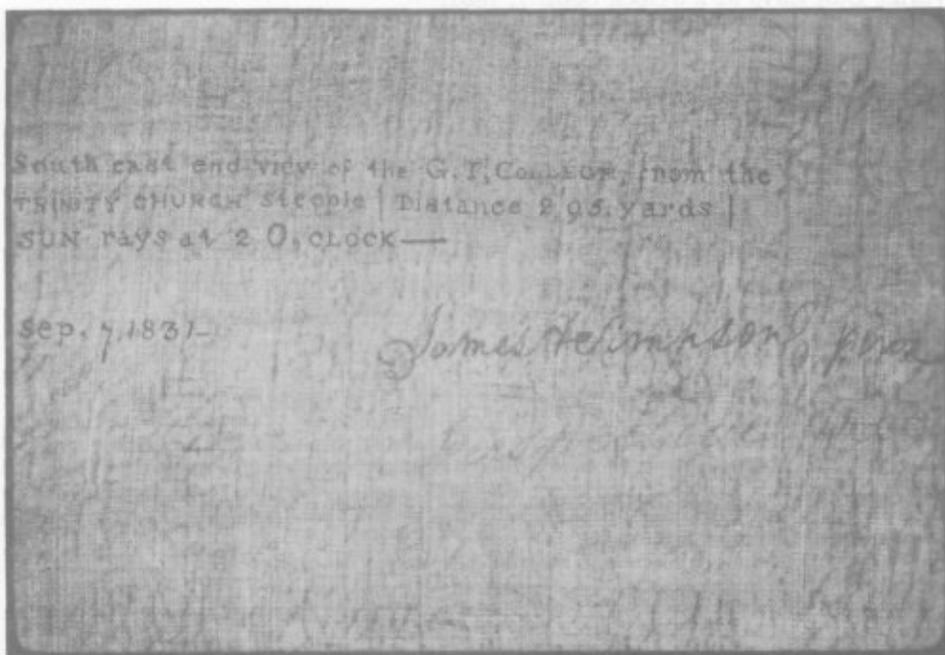


Figure 2. Description, date and signature of the artist on the back of Georgetown College from Trinity Church Steeple.



Figure 3. Georgetown College from Observatory Hill, signed and dated 1833 on tree in left foreground, oil on linen, pine mortise stretcher, $33\frac{3}{4}'' \times 41\frac{1}{2}''$. Courtesy of Georgetown University.

The hour noted by Simpson, 2 o'clock, conforms to the free time allotted the students. A student's diary from the early nineteenth century, while indicating the hour and a half allotted to recreation after the noon meal, more memorably suggests the rigorous work schedule demanded of students who were awakened at 5 or 5:30 in the morning according to the season.⁵ The life was apparently too spartan for most students, for there was a severe decline in enrollment until Father Thomas F. Mulledy S.J. took over the presidency in 1829.⁶

In the more distant view of the college (painted from the southwest with Observatory Hill to the northeast), the students on campus become small dots although other strategically placed figures add touches of human interest. In the Observatory Hill view painted in 1833 (figure 3), Simpson used a single young man in the foreground as a lead-in device. Still further into the picture two Jesuit fathers stroll through the pastoral landscape. Compared to the scene today, the sparsely populated countryside seems gloriously idyllic.

In the southwestern view (figure 4), also painted in 1833, Simpson used a carriage in the right foreground as a similar lead-in device. Considerable building had taken place since the painting of 1831. To the existing North building (reading right to left), begun in 1795 and completed two years later,

5. John Gilmary Shea, *History of Georgetown University: Memorial of the First Centenary of Georgetown College, D.C.* (New York, 1891), pp. 37, 215.

6. *Ibid.*, p. 90.



Figure 4. Georgetown College from the Southwest, unsigned ca. 1833, oil on linen, pine mortise stretcher, $33\frac{3}{4}'' \times 41\frac{1}{2}''$. Courtesy of Georgetown University.

and Old South dating from 1788, was added Mulledy in 1832–33 and Gervase in 1831.⁷ In 1834 Simpson painted smaller copies of the southwest and Observatory Hill views for President Mulledy's office.⁸ Today these paintings are on view in the President's Office located in Healy Hall.

Simpson, however, painted very few landscapes. According to his calling card his true profession was that of portrait painter.⁹ When examining these por-

7. All but Old South, which was demolished in 1904, still stand today. The towers of the North building (today known as Old North) were added in 1810 but changed in 1866 to the taller, pointed structures that remain.

8. The copies are oil on panel and measure $12'' \times 15\frac{1}{4}''$ each. The Observatory Hill version still has the original handwritten information on the back. It states: "Presented to Thomas F. Mulledy, Jas. A. Simpson, Georgetown, D.C. August 15th, 1834." Rev. Mulledy, S.J. was president of the college from 1829 to 1837 and again from 1845 to 1848.

9. This calling card was attached to the back of the Michael Buckley portrait now in William Woodville's collection. The card lists his address on West Street (P Street today) between High (Wisconsin Avenue) and Congress Street (31st Street).

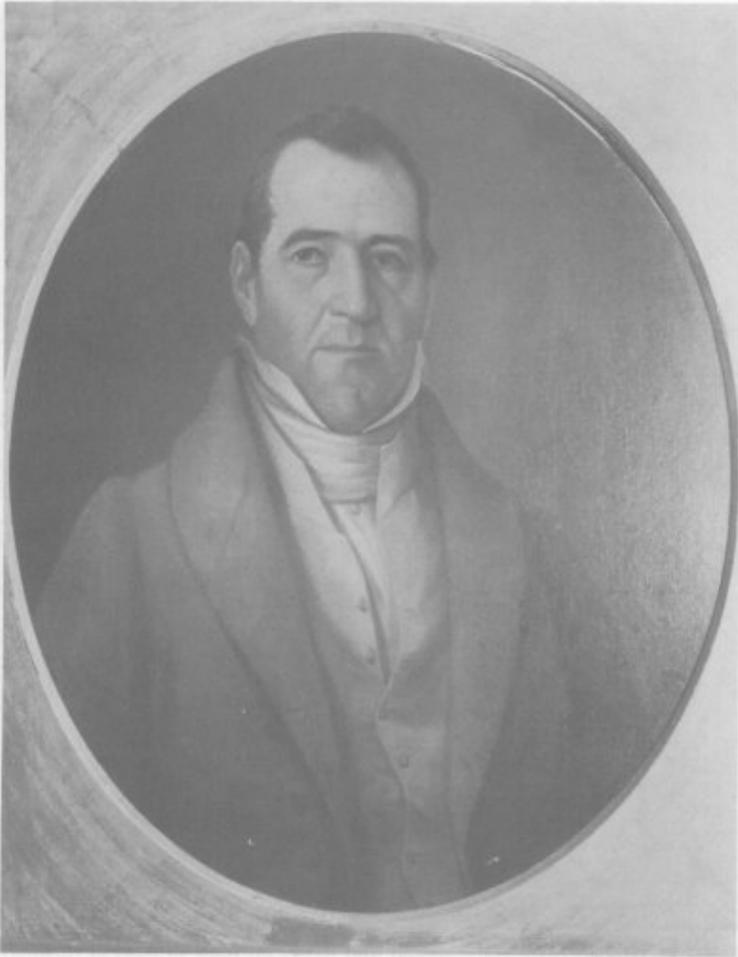


Figure 5. George Shoemaker, signed and dated (printed) on back of painting, January 14, 1840, oil on linen, relined and glued to board, 30" × 25½" oval. Courtesy of Mr. and Mrs. William Shoemaker.

traits one discovers two definite styles. Some have a distinctly flat quality while others are well modeled. This flat style is found in a painting now owned by William Woodville of Georgetown. This portrait of his great-great-grandfather Michael Buckey, painted ca. 1850,¹⁰ appears somewhat stiff and lifeless. The precise ridges of the eyes and mouth and lack of modeling leads to the possibility that this was either a copy from another painting (Simpson was commissioned as a copyist on several occasions) or was perhaps painted directly from a

10. When the dates are not actually recorded on the canvas, they are determined by comparing the relative age of the sitter with his actual dates. Michael Buckey was born in 1783 and he appears to be a man of approximately 65 years of age. The painting has therefore been dated ca. 1850. The picture is unsigned, oil on linen, 30" × 25" with a pine mortise stretcher. Simpson's calling card was attached to the stretcher.

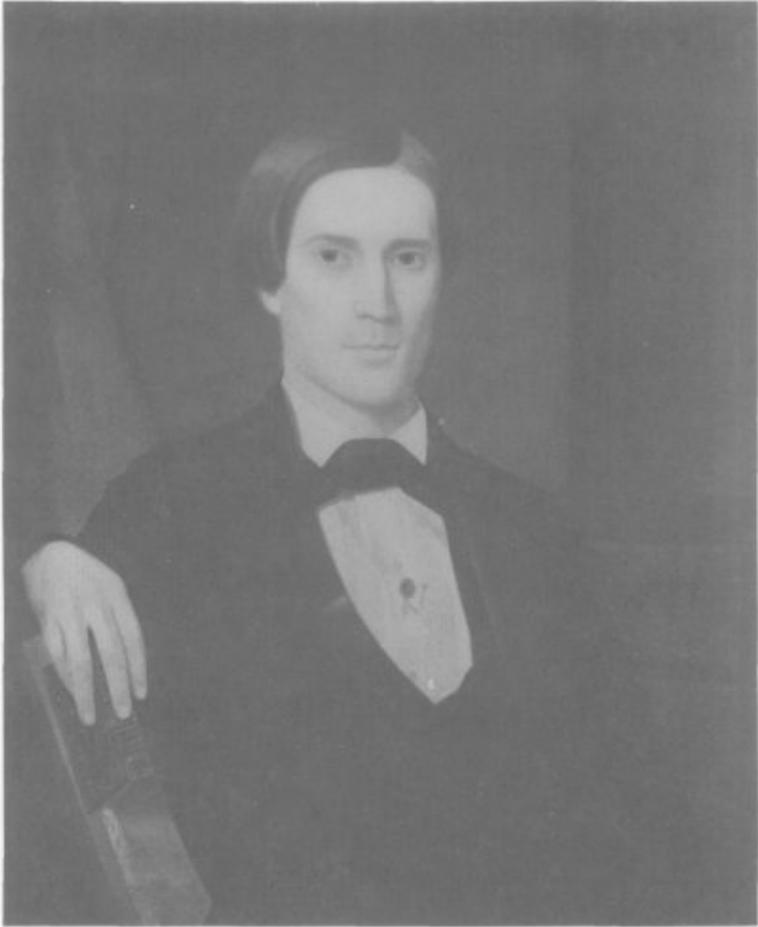


Figure 6. Unidentified Man, signed and dated on back of canvas (printed) January 26, 1849, oil on linen, pine mortise stretcher, because of relining the name and date are of a later period, 30" × 25¹/₁₆". *Courtesy of Maryland Historical Society.*

photograph.¹¹ It was most certainly painted quickly, with little time spent on the clothing or background. The hand droops in an odd manner, a characteristic in both styles, and the couch does not conform to the laws of perspective.

However, a painting of George Shoemaker done in 1840 (figure 5) reflects a rather accomplished brushstroke. The face is modeled to convey effectively the

11. Simpson also painted miniatures although I have only seen a photograph of an original that is presently unavailable. The Barnum letters stated that he specialized in miniature painting (see footnote 1), and an advertisement in the *Georgetown Advocate* dated December 3, 1840, recorded: "Jas. A. Simpson Portrait and Miniature Painter, West Street between High and Congress Street." A news note, dated April 23, 1871, stated: "James A. Simpson, local artist had on exhibition for a few days at Perrigo and Kohls, three miniature paintings, one in oil on copper, "Betrothal of Virgin," others water color, all gems." (J. Hall Pleasants *Studies in Maryland Painting*. The Maryland Historical Society).

likeness of soft flesh while the eyes connote a certain feeling of warmth. The head and body have the appearance of weight and solidity with interest shown in the details of the sitter's clothes.

In contrast to this more direct style is a supposedly matching portrait of Shoemaker's wife and son. A popular format in the mid-nineteenth century, Simpson painted several examples of paired portraits. Although the artist usually matched them very well, the mate to the George Shoemaker offers a comparison of the two divergent techniques. The painting of Elizabeth Lukens Shoemaker and son George are flat and rather dull. Although both oval canvases are the same size, the wife and son are painted on another scale. This was probably done to compensate for the addition of the son who, like his mother, seems uncomfortably fitted to the space. Young George's head is out of proportion and does not adequately join his flattened body. The mother seems to be in proportion, but she is not without the drooping hand.

A successfully balanced pair of portraits is owned by relatives of the William King family.¹² William King I and his second wife Christina are seated in a simple setting. William's right arm and Christina's left curve toward the center and act as links between the two while the corner of the room in both backgrounds adds a note of unity. Being much more solemn than her husband, Christina is given a fascinating combination of objects. A string around her neck simultaneously holds her watch, a key, and eye glasses. Apparently she had just wiped the glasses, as she holds a large handkerchief in the other hand. Seated at his desk, Mr. King has just completed the following note:

Georgetown Sept. 29, 1841
This day completes the 70th
year of my age. Wm. King.

Other examples of Simpson's matched portraits come from the Maryland Historical Society. Of the two sets of portraits, the subjects of one pair are unidentified (figures 6 and 7),¹³ while the other two are portraits of Mr. and Mrs. Isaac Clarke. Both are examples of Simpson at his best.

Although the two Historical Society sets were painted sixteen years apart, the Clarkes in 1833 and the unknown couple in 1849, the compositions in both are exceptionally well balanced with the various textures convincingly painted. As in the King portraits, Simpson again adds interesting notes in the various details. Both men's jeweled stick pins are painted with minute details, while the women's fine lace adds effective notes of delicacy against their dark dresses. Caught in a moment of quiet contemplation, the figures look slightly past the viewer while retaining a sense of dignity and quiet repose.

12. The portrait of William I now belongs to William IV of Sumner, Maryland, while the painting of Christina Williams is in the collection of William IV's sister, Mrs. Norman D. Johnson. Mrs. Johnson also has a portrait of Henry Dixon by the artist.

13. The following information is written on the back of both unidentified figures. "Painted by James A. Simpson Jan. 26, 1849." They both measure 30" x 25¹/₁₆". The pair of portraits were formerly listed as members of the Mudd Family of Charles County Maryland in the *Maryland Historical Magazine*, "Checklist of Portraits" 50 (1955): 320. On the back of Mr. Isaac Clarke's portrait is the following information. "J.A. Simpson, pinxt. Feb. 22nd 1833." Both paintings are on pine mortised stretchers. Mr. Clarke is 30⁷/₁₆" x 25¹/₆" and Mrs. Clarke is 30⁹/₁₆" x 25¹/₁₆".



Figure 7. Unidentified Woman, signed and dated on back of canvas (printed), relined, January 26, 1849, oil on linen, pine mortise stretcher, 30" × 25¹/₁₆".
Courtesy of Maryland Historical Society.

A rare painting of George Shoemaker exemplified Simpson's consummate skill as genre painter (figure 8). Completed the same year as his portrait, Shoemaker is shown standing on a wharf in Georgetown with the Potomac and Analostan Island in the distance.¹⁴ Posed before a number of barrels, Shoemaker, later to become the president of the Farmer's and Mechanic's Bank in Georgetown, holds a device to sample the quality of wheat. "Bandy Leg Joe" stands behind him with a red hot iron to seal the holes from which samples have been drawn. To the right, standing in the distance, is a tattered, rather surreptitious looking man. His identity has been lost but he must have been some colorful character not unlike those who still roam the streets and alleys of Georgetown.

14. The island has been known as Analostan, Mason's Island, My Lord's Island, and Barbadoes. George Mason of Gunston had a large estate there and it was the location of many outstanding social events. Louis Philippe of France visited the estate and said he had never seen such elegant entertainment. (Grance Dunlop Ecker, *A Protrait of Old Georgetown* [Richmond, 1951], p. 65).

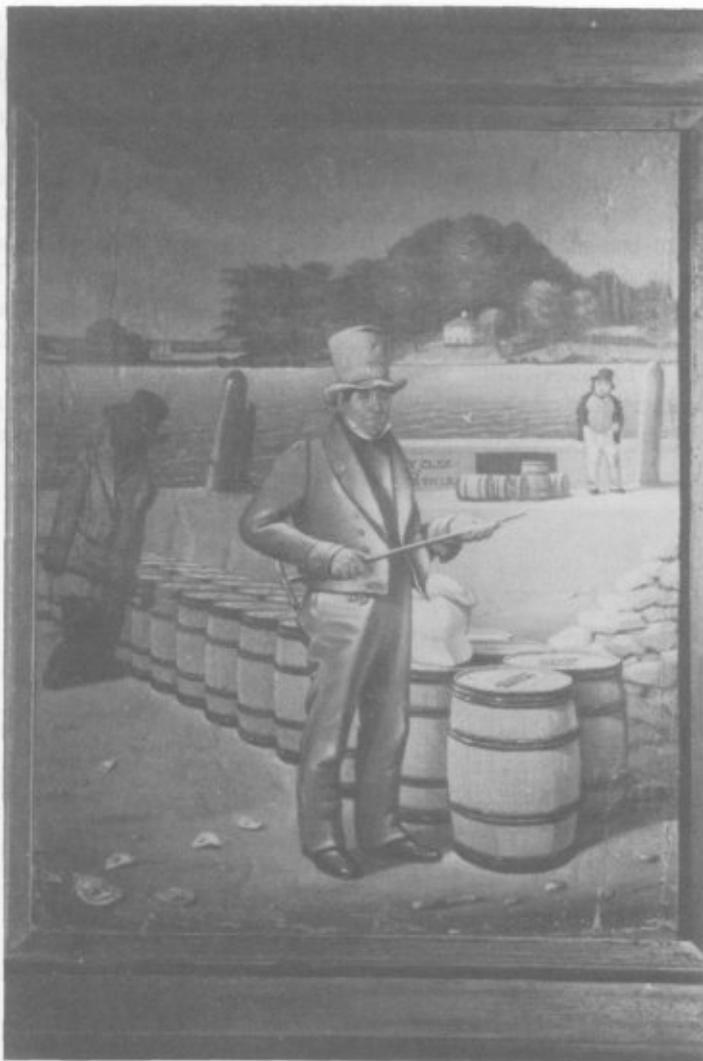


Figure 8. George Shoemaker inspecting wheat, signed and dated 1840 in lower right corner, oil on linen, pine mortise stretcher, 18³/₄" × 15¹/₄".
Courtesy of William Woodville.

Simpson was not without humor in this painting, as Shoemaker has spilled wheat on the front of his coat and a rat huddles in the shadow of the wheat barrels. One can only wonder if any symbolism could be attached to the rat as the shady looking character stands above it eyeing the unattended barrels near the barge. Rats would certainly have been the scourge of the wheat business and perhaps thieves were also an ever-present problem on the docks. Other touches that add to the riverfront atmosphere are the many oyster shells strewn about the dock. Comical notes are also noticeable in Shoemaker's hat with its slightly torn top and marvelous dent in the center.

Analostan Island (known today as Roosevelt Island) with its cleared fields and handsome white frame house was still habitable. By 1840, however, when this picture was painted, it would have paled in comparison to its former glory. It had been a spot for great entertainment during the late eighteenth and early nineteenth centuries before a causeway was built between it and the Virginia shore. The consequent blockage of the Little River channel resulted in the stagnation of the water which in turn became a breeding ground for mosquitoes. By 1825 most of the inhabitants had left. The view in the painting shows the northeast corner of the island that is now part of a national landmark. The small rocks are still visible, but the large rocks to the left are no longer present. It is not certain if they were simply a compositional device or whether they were later removed in an effort to clear the river.

Still another citizen of Georgetown known as "Old Yarrow" (figure 9) was painted by Simpson. Evidently a lively old resident, Yarrow Mamout was a



Figure 9. Yarrow Mamouth, unsigned ca. 1850, oil on linen, glued to board, 20" x 14". Courtesy of Peabody Room, Georgetown Public Library, Washington, D.C.



Figure 10. Commodore Stephen Decatur copied from an original Gilbert Stuart, unsigned, ca. 1846, oil on linen, pine mortise stretcher, 25" x 21".
Courtesy of Georgetown University.

Moslem from either East India or Guinea. He had been kidnapped in Africa and sold as a slave in Maryland. He eventually bought his own freedom, acquired property in Georgetown, and lived to be over 100 years of age. He is shown wearing a red, white, and blue stocking cap and clothing of the same colors. Well known to Georgetown residents as "Old Yarrow," he made his living selling goods from a cart. After obtaining his freedom from a Mr. Bell, Yarrow's greatest ambition was to save one hundred dollars. He was able to do this but not before he lost his savings twice. The first time he gave it to an old grocer for safekeeping only to have the man die shortly thereafter. Having no written record concerning the transaction, he had no way of claiming the money. The second time "Old Yarrow" gave his money to a young man who went bankrupt, thus losing it again. Not giving up, he finally saved two hundred dollars and

placed it in the Columbia bank.¹⁵ Charles Willson Peale also painted Yarrow Mamout in 1819, although Peale's portrait portrays him somewhat younger and wearing ordinary clothes. The Simpson painting is probably a centenary portrait, which would account for the festive costume.

As portrait painter Simpson was sometimes called upon to be a copyist. When Susan Decatur desired copies of a portrait by Gilbert Stuart, now in the Independence National Historical Park Collection, Philadelphia, of her late husband, the naval hero Commodore Stephen Decatur, she commissioned Simpson (figure 10).¹⁶ The medal was added at the request of Mrs. Decatur as it was awarded to the Commodore after the Stuart was painted.

In the mid-nineteenth century Simpson was also commissioned to paint twelve copies of various portraits for the relatives of George Washington. These works, now located in private collections in Baltimore, are a part of another study by the author concerning the artist as copyist.

According to the *Baltimore Sun* of 1880, Simpson moved to Baltimore in 1860 where he "excelled in historical paintings and has left a number of original scriptural paintings in this city."¹⁷ However, none of these history or religious works have been uncovered to date. A painting entitled "The Entombment of Christ," painted for the Passionists Fathers in the St. Joseph Monastery, Baltimore, was Simpson's last picture. Father Walser, C.P. stated that the Simpson painting had unfortunately been destroyed by a fire in the old monastery in 1883.

Perhaps his "history paintings" have suffered similar fates or have been allowed to deteriorate beyond repair. Now at least some of his works have been documented before they are allowed to slip into complete anonymity. Simpson's paintings are sincere renditions of people and places that are charming in their own right but are also valuable visual documents of America's past and our heritage.

15. Sidney Kaplan, *The Black Presence in the Era of the American Revolution 1770-1800* (New York, 1973), pp. 218, 219.

16. *Catalogue of the Art Collection*. Georgetown University (Washington, D.C., 1963), p. 114, #53. Susan Decatur commissioned four copies, one for herself and three for various friends. The only other known copy is located in the Decatur House in Washington, D.C. Simpson's card is attached to the back of the frame and is dated August 29, 1846. The original Gilbert Stuart portrait was sent to Philadelphia in 1847. For a discussion of related material concerning the original painting, consult William H. Truettner's "Portraits of Stephen Decatur by or after Gilbert Stuart," *The Connoisseur* (August 1969): 264-73.

17. *Baltimore Sun*, May 6, 1880.

SIDELIGHTS

"In the Finest Cuntrey": A Baltimore Cooper at the End of the Revolution

Ed. by BASIL L. CRAPSTER

FOR MOST OF THE NUMEROUS FOREIGN-BORN IN THE COLONIES, COMMUNICATIONS with friends and loved-ones back in the Mother Country were by our standards few and uncertain in normal times. Disruption of communications during the Revolution added new elements of uncertainty that were a bitter trial. Peace and the resumption of more normal communications, whatever their macro-consequences, meant to individuals a chance to pick up the threads stretching across the ocean. The happy survival of a letter of 1783 from a Baltimore cooper, Hugh Birnie, to his mother in Ireland permits us to see how one "mechanick," a member of a group not well represented in Revolutionary archives, viewed his family's divided loyalties of the war years and the future prospects of his newly independent land.¹

Hugh Birnie (1746-1822) was one of the older of the eleven children of Clotworthy Birnie I (?-1765) and his wife, Margaret Scott Birnie (1717-1803). The elder Birnie was a tenant on the Upton family (Lord Templetown/Templeton) estate near Templepatrick, County Antrim, in Northern Ireland. His death left his widow with some children still not on their own.

The Birnies were farmers and businessmen, often both simultaneously; the Scotts were also in the same Presbyterian middle class, but tendrils of the family vine had moved higher. Margaret Scott Birnie was one of the eight children of Francis Scott (?-1766) of Templepatrick. One of her brothers was Dr. Upton Scott (1722-1814) who, after beginning a medical education in Ireland, completed it with a distinguished record at Edinburgh and Glasgow, receiving an M.D. from the latter in 1753. He served as surgeon's mate in the British army in the Low Countries and Scotland. From the latter post he accompanied his friend Horatio Sharpe to Maryland when Sharpe became governor. In Annapolis Dr. Scott married Elizabeth Ross (1739-1819), daughter of the clerk of the council (John Ross), joined the Thursday Club, and became a fixture in the

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1. For permission to publish this letter and to quote other letters and documents, I am indebted to the present owner, Miss Elizabeth Annan of Taneytown, and to both her and Mr. R. Birnie Horgan of Columbia for guidance through family papers and genealogy. It is mainly from these papers that the family history in this article is constructed. Old style dating is used where appropriate.

social and political life of the capital. Thanks to his friendship with Sharpe and later with Governor Eden and to his father-in-law's influence, he traded the practice of medicine for a succession of administrative posts, ultimately becoming himself the last clerk of the council of the proprietary government. Merging into the gentry, he built an elegant house in Annapolis. He acquired the Ross estate, "Belvoir," outside Annapolis, and large holdings in (then) Frederick County, notably the extensive "Runnymede" tract on the middle reaches of Big Pipe Creek. Hugh Birnie wrote many years later that Dr. Scott had never really approved of his sister's husband, Clotworthy Birnie I, but however that may be, Dr. Scott clearly felt close ties with his sister to whom he occasionally sent money.² Childless himself, he also helped with the education and careers of her children: a medical education in Britain for John (who died in medical school), several berths in merchantmen for Francis Upton (who died at sea during the Revolutionary War), and a basic education for young Clotworthy II (who went into business, ultimately emigrating to Big Pipe Creek in 1810). Upton Scott left Maryland with Gov. Eden in 1776, leaving his wife at "Belvoir." After exile in England and Ireland he returned to Maryland, his lands intact, in 1780, and spent the remaining years of a long life in honor and wealth, but no longer a participant in public life. In 1799 he was a founding member and first president of the Medical and Chirurgical Society of Maryland.

Dr. Scott also gave help to at least one of his Scott nephews, Capt. Hugh Scott. After a medical education at Glasgow, Hugh Scott went into the British Army. Possibly as the result of a dual in Quebec, he joined his uncle at Annapolis, probably hoping to benefit from his uncle's success. He played the role of the gay blade at the capital and then on some land he acquired near present-day Middleburg, Carroll County. Upton Scott made him overseer of his lands in the latter area, but the two fell out and at the same time Capt. Hugh Scott aroused the suspicions of Taneytown patriots for his Tory sentiments.³ At the end of the Revolution he sold his (then) Frederick County lands and moved to Virginia to practice medicine. Later, he was in the Pittsburgh area where his trail is lost after 1798.⁴

Upton Scott was an able and ambitious man, immensely proud of his achievements but always concerned that money not be wasted; held by a strong family sense, he was determined to direct the lives of those he helped. Hugh Birnie, judging by the few letters that survive, had an equally strong character and a pawky independence in manner and speech that made communication with his uncle difficult.

Possibly to free his family from the burden of further support, possibly from some mixture of independence and curiosity, young Hugh Birnie came to Philadelphia in 1763, as Dr. Scott reported disapprovingly to his own father:

2. Hugh Birnie, Freeport, to Clotworthy Birnie, Taneytown, May 31, 1814.

3. William Blair, Frederick County, Tom's Creek, to Chairman, The Committee for Baltimore County, May 4, 1775, Gilmor Manuscripts (Ms. 587.1), vol. 4, p. 21, Maryland Historical Society. I plan to include a full study of Capt. Scott in a history of the upper Monocacy - Pipe Creek region in the 18th century.

4. Margaret Scott Birnie, Templepatrick, to Hugh Birnie, forwarded by John Ligget, Baltimore, care of Dr. Hugh Scott, Pittsburgh, October 2, 1798.

The last Letter I received from you, came by Hugh Birnie who sent it to me by Post from Philadelphia, at the same time Acquainting me of his Arrival there & the loss he was at to know what to do with himself, by the return of the post I remitted him a little Cash for his immediate Support, & gave him what advice I was able from his Letter to me to do, being utterly unacquainted with his Abilitys, & from his indifferent Manner of writing, having little reason to entertain a favourable Opinion of them—By A Gentleman who was an intimate friend of Mine & whose Judgement I cou'd rely upon, who went to Philadelphia about a fortnight after that I wrote to him again, & gave directions to this Gentleman to give him what Assistance was in his Power to fix him in some reputable & Advantageous Manner, at Philadelphia, such as his Capacity fitted him for & his Inclinations prompted him to. This Gentleman with much difficulty found him, & learned from him, that he had Engaged himself as a Servant to an Innkeeper who lives about 20 Miles from Philadelphia. He proposed to him the Going to Sea, & had agreed with a Master of a Ship a Man of Reputation for this purpose, but Hugh wou'd not by any Means think of this Manner of Life, & the Gentleman from what Conversation he had with him found that he was by no means Qualify'd to go into a Compting house, nor if he had been even so well Qualify'd, was it practicable to have fix'd him to Advantage at present, altho I had impowered him to Advance whatever his own discretion wou'd direct him to do for this Purpose thus they parted, after Hugh had received some good Advice & some money which he promises to expend in improving himself, in the mean Time he is I presume employ'd either as an Ostler or at the Plowtail either of which Occupations he might have followed at home as much to his own Credit & Emolument, as in America.⁵

Much later, Upton Scott said that Hugh Birnie had come to America against his advice, and that while “rambling about” Maryland, Pennsylvania, and Virginia he “picked up” the cooper’s trade.⁶ In 1774 a family letter noted that he was considering joining the Royal Navy; his brother John recommended against it.⁷ His contacts with his uncle Upton and cousin Capt. Scott, as will be seen in the following letter, were few and not happy. Aside from the political differences that became apparent during the Revolution, there was a world of difference between the independent, semiliterate, footloose mechanick on the one hand, now settled in Baltimore, and both the rich and cultivated uncle and the ambitious and profligate cousin on the other.

Communication between Hugh Birnie, cooper, and his widowed mother back in Ireland appears to have been slight. Then, in 1783, he wrote the following letter to her reporting on family connections, his own affairs, and the brave prospects of the new republic.

Dear Mother

I Recd. Yours dated the 12 of March by Mr. Brown which geive me Great hapiness to find that you are stil in the land of the Leiving for indeed i onst never Expected to had heard from you but it his pleased God to put an end to the war for the presant & i pray god it may be lasting, for the inhabetants of this Contrey his Been sadly haresed by it, and should it pleas God to let us leiv in peas it will be our

5. Apparently a draft letter, Upton Scott, Annapolis, to Francis Scott, [Templepatrick], January 2, 1764.

6. Upton Scott, Annapolis, to Clotworthy Birnie, Belfast, March 10, 1806.

7. Apparently a draft letter, John Birnie to Hugh Birnie, [spring 1774].

own falt if we are not a hapey Pepel, for we are in the Finest Cuntrey i Believe that is in the Woreld. During the time of the war Business has been so Fluctuating, Prices so bad and Goods so dear and we so harased About by the Minuvers of the Enemy that Indeed ther has but Verey few Macanicks made mutch by ther Business however at present the prospect seems to Change & a door is to all apearance opened for an Extensive trade of which i have a prospect of getting a share as i am at present in a good seat of Business. i am Still Singel & can not tell how long it may be so. Capn. Hugh Scott Madam is not Maried that i have heard of for indeed i can Geive you no Acct. of him but by hear say as i have never Conversed with him but twist in the Cuny. the first time was near Elevant Years ago in this town & the Last About Eight at his own house where i made free to cal & stayed a few Days since which time he his never thought fit to Cal tho his often been in town. with your Letter Madam i Recd. one directed to Capn. Scott which i Covered in one of my own but has not Recd. aney Ancer as Yit.

With Respect to my Uncal [Dr. Upton Scott] Madam i can Give you but little better Acct. then of the former. i Rote to him shortly after his Return & Requested the liberty of paying him a Visit as you may Easely imagon the Satisfaction i Should have had on seeing not only an Uncal from my Native Spot but aney other person, however he Exquised him Self that it was not Convanant & that he would call on me when he came to town but his not as Yit been as good as his Word. Respecting his Estate which is very large i believe he his not lost aney part. During the Doctors Abstinence Mrs. Scott Recided at a Cuntrey Seat a few miles from Annopolas where they stil Continue to Leive and i have never heard that shee was Desturbed in his Abstinence. now what ever may be the caus of the Doctors seeming Coolness towards me i cannot tell, but be it what it will i shal still indavour to continue in my Dutey to him. i rote to him on the Recpt. of Your Lettor & Acqud. him with the loss of my Brother Fr[an]k and the Particulars of Your Letter but his Recd. no Ansr. as Yit. as to Hugh Scott i think his Coolness Rises in sum Respect from a Diferance of Sentement. With Respect to the Late Contest as we went under Diferent Nominations, he Madam under the Nomination of a Toary & i Under the Nomination of a Whig, the Letor of which i Bless God his Prevaled, and the Toarys After all there Cruil hopes & Dredfull Threats are at Last Oblledged to be Silent, pray Madam do not let ther Coldness to wards me by Aney means make you Uneasy. not with Sanding they Are Ritch and i am not i can stil Leive clear of want & Hapiness is not always the companon of Ritches nor d[o] i fear if it pleas God to Bless me with my health to Acquire a Seficiency to make me happy, perhaps as mutch so, as them that he his Blest with Large Fortons.

I think it might be prudent to put my Brother [Clotworthy II] out to Business Under the care of some person that is in Business where he Might have the Opertunety of Being instructed, and getting Acquanted with with [sic] men in Business Should he Behave him Self well would be of Grate Advantege to him as it is butt Sildom that a person Unaquanted with Business makes Mutch progres in it until he has got acquanted with it, and with men that follow it. i could wish that it was in my powr to had Sent you Some Flower by the Return of this Vesal but ther is not freight to be had, no not Even for one Ball. how ever i am in hopes that Vesals will be more Plenty ear long.

Should my Sister think proper to put her son to a trade which would be my Advise for hur so to do, i would geive the Boy the Trade that may best sute his Inclanation as ther is Maney a Bright man whos Garriour is Lost by Being Buyesed with Respect to the Choise of the Business he is to folow, but if it be Convanent for her i should be Glad that he may be well Schoold before he be put out to Aney Business.

Dear Mother do not take it a mis if i complane of the Short ness of Your Letter, as it would have given me Great happiness to had a more Particular Acct. of my Friends & You Never Menshon but my Aunts Reid & Faney with Hugh Reid, pray what is Become of my Cousens Clotworthy Reid, with Francis MCord & his Sister Margaret, with the Uncals Willm. & Samuel Birnie's Famelys & my Aunt Scotts. With many More Relations & Acquantances i Should be Glad to hear from or what is Become of them pray let me no as Particular as Posabel by the Next Opertunity. You Informe me of My Couson Hugh Reid & his Famely Intending for This Country⁸ should he Continue of that Mind i would be Glad if he would come to this part as it may perhaps Ancer him Bettor than aney other on the Contentant, not that i have it in power to do Aney thing for him but as Doctor Scott & Hugh Scott his Land in Great Plenty they might & i supose would let him have a plantation Untill he could sute him Self which will save him a grate Expence. Please to Remember my Love to all my Relations & to my Aunts Reid and Faney for hose kindness I stand mut[ch] Indebted to them, tel my Aunt Faney that Owing to hur Genarousety & Kindness i never have wanted Money Since i saw hur for if shee Remembers the half Crown that she promised me long before i lef home & geive me When i came Away, i Stil have got it & Should it pleas god that ever shee sees me shee shall see it, Unless some unavidabel Accdent as for Living i am Tolerabel well of at present & you Need not put Your self to Aney trobel on that Act. at Present

Should a nother Opertunity Ofer i shall write to You Agane & let you no if should hear from Dr. Scott or from the Capn.

I am in Very Good Helth at present & Bless God as i hope You & Your Famely is with all Relations so nomore at Presant but I reman

Your AfECTIONAT Son til Death
Hugh Birnie

Baltimore Town
the 10th of June 1783
P.S. Pleas to Direct to me
to the care of Mr. John Brown
Curier Market Street Baltimore

It would be gratifying to report that the cooper's optimism about "the Finest Cuntrey" was justified in a subsequent life of ease. What we know of his later life depends mainly on a few surviving letters and references to him in other family correspondence, all of which indicate that he was an infrequent letter writer. These sources and what we already know of his character suggest that he was not one to look back with regret or to rail against present misfortune, but the sad fact remains that the future dealt him hard blows. For a time he remained in the Baltimore area. A permit signed by one of the Baltimore County justices, dated September 6, 1791, allowed "the Barrer Hugh Birnie & his Prentice Henry Calver a Ladd about 11 Years old to pass and Repass through this State about their Lawfull Business." By 1798 he was in the Pittsburgh area, where he worked in flour mills. About 1805, by which time he was living at

8. Hugh Reid, wife, and all but one of his children did come to Maryland, settling first near Annapolis, and then moving to Pipe Creek.

Freeport, Pennsylvania, he seriously injured his leg in an accident.⁹ He was able to work little after that and the small holding he had could not be sold because of title difficulties. He had some contact with Captain—now, having returned to the medical profession, Dr.—Hugh Scott, Dr. Upton Scott, and Clotworthy Birnie, the younger brother who was a recent immigrant. The latter two occasionally sent him money. Finally, after Clotworthy had inherited much of Dr. Upton Scott's property and established himself in some style at "Thorndale" on Big Pipe Creek, he brought his bachelor elder brother, broken in health and fortune, to end his days at a comfortable place at the family fireside. The gravestone in the family plot at Piney Creek Presbyterian Church, near Taneytown, records his passing: "In memory of Hugh Birnie a Native of Ireland who died August 21st 1822. Aged 76 years."

9. H. Alexander, Pittsburgh, to John Heslip, Bootmaker, Baltimore, June 8, 1805. Alexander was an immigrant from Templepatrick, who made inquiries about Hugh Birnie at the request of their mutual friend, Heslip.

Patty Cannon: Murderer and Kidnapper of Free Blacks: A Review of the Evidence

M. SAMMY MILLER

A GRIM TALE IN THE UNCHEERFUL ANNALS OF AMERICAN SLAVERY IS OF kidnappers who spirited away unsuspecting free blacks and had them sold to a slave trader operating in the lower South. For several reasons, the business thrived despite the law. The newly opened cotton country of the Southwest demanded more and more slaves; with an able-bodied slave bringing \$1,000 in 1819, bootlegging of cheaper hands was inevitable. Although some slaves were stolen, it was risky business and kidnappers stayed shy of them. But free blacks, whose loss would not threaten a white owner, were better game for kidnappers. Delaware was good place for such enterprise, for on the eastern shore peninsula the free-born and emancipated blacks, who by 1819 already outnumbered the slaves, were viewed by whites as a threat, and the antikidnapping laws hence had scant white support.

Patty Cannon was a Delaware-based kidnapper.¹ What distinguishes her from others of her trade is that she was not only a woman but a notorious murderess. The document purporting to be her final confession claims to be "an account of some of the most horrible and shocking murders and daring robberies ever committed by one of the female sex."² Since very few professional historians felt called upon to write the biography of this woman, her story was left to the freewheeling novelist, the journalist, and the home-grown storyteller. And like most tales of horror, this one soon merged fact and fiction.³ The novels most responsible for mythologizing Patty Cannon are R. W. Messenger's *Patty Cannon Administers Justice* (1926), dealing with a contrite murderess, and George Alfred Townsend's *The Entailed Hat* (1884), a trilogy that has as one of its dramatic settings an inn known as Johnson's Crossroads, which was Patty Cannon's residence and the base of her operations.⁴

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1. Anthony Huggins, "Maryland's Queen of Kidnappers," *Baltimore Sun*, November 9, 1936.

2. *Narrative and Confessions of Lucretia P. Cannon* (New York, 1841), p. 16.

3. Perhaps this lack of interest stems from the fact that there is no scholarly study of the Delaware slave trade. The current study now undertaken by Harold B. Hancock of Otterbein College will not deal solely with the question of slavery. See "Dover Native's Findings Expand History of Blacks in Delaware," *Wilmington Evening Journal*, January 17, 1973, and H. Clay Reed, *Delaware: A History of the First State*, 2 vols. (New York, 1947) 2:16. For two older studies, also see C. S. Shorter, "Slavery in Delaware" (M. A. Thesis, Howard University, 1934) and Helen B. Stewart, "The Negro in Delaware in 1829," M.A. Thesis; University of Delaware, 1940.

4. Reed, *Delaware: A History of the First State*, 2:943. For literature on Patty Cannon see Ted Giles, *Patty Cannon: Woman of Mystery* (Easton, 1965), p. 62.

Johnson's Cross Roads, renamed Reliance in 1882 in an effort to restore its respectability, has of itself become a legend kept alive by literary fiction, pseudohistory, and freelance writing. A Delaware paper remarked in 1934: "so well did these writers do their work that today tourists visiting the Cannon house will have naught but chambers of horrors, blood stained floors and dank dungeons."⁵ The owners in 1934, Mr. and Mrs. A. Hill Smith, were surprised at rumors that the house had dungeons in its kitchens and Mrs. Smith insisted that the house had never had a cellar. To a question often asked by tourists, "What about the river Patty used to transport her victims?" Mrs. Smith responded, "There is no river." In fact, the Delaware paper noted that there were no relics of torture, dungeon walls, blood stains on the floor, or even bottles about the place.⁶ The only point of agreement about Johnson's Cross Roads is the role it played in Patty Cannon's effective evasion of the law. At the inn's porch three counties merge—Sussex County in Delaware, Dorchester and Caroline counties in Maryland. Pursued by the Sheriff of Sussex, Patty could merely walk into another room and be in Maryland. That was the trick about her tavern. And she supposedly enlisted graft as well as geography. A Baltimore paper claimed that bribes to sheriffs and higher officials protected the tavern against frequent raids.⁷

Two works have dealt with the origins of Patty Cannon: a pamphlet of 1841, *Narrative and Confessions of Lucretia P. Cannon*, and *Patty Cannon: Woman of Mystery*, published by Ted Giles in 1965. The *Confessions*, which read like a biographical novel encrusted with extraneous minutiae, have not been established as Patty's own statement, nor is it known whether Clinton Jackson and Erastus E. Barclay, who filed the work in the clerk's office of the Southern District of New York, were the authors. According to the *Confessions*, Patty was born in Canada, the daughter of a barmaid and young English nobleman who named the child Lucretia Hanley. Another story alleges that she was the "black sheep" of a good Sussex County family and the widow of Jesse (or Alonzo) Cannon. Because she is believed to have poisoned him and because she committed suicide by poison in her prison cell, Ted Giles suggested that the names Lucretia and Alonzo were the results of "fictional license" by previous biographers, looking to the legendary poisoner Lucretia Borgia.⁸ The *Narrative and Confessions*, he noted, appears to have been the first to use the names in that connection.⁹ Giles himself nevertheless relied heavily on the *Narrative and Confessions* along with the writings of other journalists.¹⁰

5. "Patty Cannon House Explodes Myth—Wanted a Myth Maker," *Wilmington Journal Every Evening*, September 7, 1934. The inn received its name from Patty's son-in-law, Joe Johnson.

6. *Ibid.*

7. Huggins, "Maryland's Queen of Kidnappers."

8. James A. Bready, "Maryland's own Lucretia Borgia," *Baltimore Sun*, April 3, 1955. Most biographers refer to Cannon as Alonzo, but Bready reported the findings of George Valentine Massey, an historian and genealogist from Dover, Delaware, which established the name of the Cannon who lived with Patty as Jesse. His death, however, still remains a mystery. Other biographers have Patty falling in love with an unnamed person described as the "worst villain" of her gang, who is believed to have died from injuries received in a Dover raid. See J.H.K. Shannon, Jr., "A Free Booter in Skirts and Deeds of Blood: The Strange Career of Patty Cannon, Slave Trader and Kidnapper," *Baltimore Sun*, March 31, 1907.

9. Giles, *Patty Cannon: Woman of Mystery*, p. 28.

10. *Ibid.*

Descriptions of Patty Cannon differ with each of her biographers. A 1907 *Baltimore Sun* article claimed: "She was more or less robust, had a wealth of black hair and her face, while showing the effects of her evil passions and dissipation, was more or less good to look upon."¹¹ An article in 1936 in the same paper described her as "a large and handsome woman . . . hair was thick and black . . . massive of bosom, massive elsewhere." According to this article, "she could stand in half bushel measure and lift five bushels of wheat (300 lbs.) from the ground to her shoulders."¹² Perhaps a more accurate description was given by a Delaware newspaper in 1829 immediately following her arrest. The paper recorded Patty Cannon's age as between sixty and seventy years, and reported that she resembled a man more than a woman. The article ended by calling Patty "Heedless and heartless the most abandoned wretch that breathes."¹³ Biographers have fancied that her reputation was used to frighten black children. "Less'n you young-uns quits dat squallin'," one writer related her warning, "ole Patty goin' git you. She goin' ketch you some night an' chunk you id de head, fer she don't mess wid no bellerin' young-uns!"¹⁴ The *Baltimore Sun* journalist, J.H.K. Shannan, Jr., wrote: "one had but to mention to a Negro that Patty Cannon was coming and the darky would turn as ashen a hue as his skin would permit and flee for his life."¹⁵ Such writers seem to think that a frightened Sambo lurked under every black skin.

What all this really refers to is an incident found in the *Narrative and Confessions* of 1841. The document revealed the brutal murder of a Negro child given to fits of crying that annoyed Patty. After beating the child dreadfully, she held its face to a hot fire, scorching the child to death, then threw the body in a cave located in her cellar. There is a frontispiece in the *Narrative and Confessions* depicting this horrible act. According to this document, Patty confessed to eleven murders of her own and was accessory to more than a dozen others, including the killing of one of her own offspring.¹⁶ A news account from the period reported:

. . . in one place in a garden they dug and found the bones of a young child, [whose] mother . . . was a Negro woman belonging to Patty Cannon, which being a mulatto [the murdered child], she had killed for the reason, that she supposed its father to be one of her own family.¹⁷

The *Confessions* claimed that this child was only three days old.¹⁸

Patty's son-in-law, Joe Johnson, was the leader of the gang of ruffians to which Patty's fertile brain, remarked one account, supplied many subtle schemes. Johnson, the paper noted, would engage a number of free blacks as a crew for his boat, which was supposed to be employed in a legitimate traffic. When once he got them on board and below deck the hatches were battened

11. Shannan, Jr., "A Free Booter in Skirts."

12. Huggins, "Maryland's Queen of Kidnappers."

13. *Delaware Gazette and American Watchman*, April 17, 1829.

14. Henry Alsberg, ed., *Delaware: Guide to the First State*. (New York, 1955), p. 367.

15. "A Free Booter in Skirts."

16. *Narrative and Confessions of Lucretia P. Cannon*, p. 23.

17. *Delaware Gazette and American Watchman*, April 17, 1829.

18. *Narrative and Confessions of Lucretia P. Cannon*, p. 23.

down and he put back for home, turning the captives over to the mercies of Patty, who arranged for their sale to slave traders farther South. It is believed these poor wretches were kept in the attic until a favorable opportunity presented itself for smuggling them down South or until a "nigger trader from Georgia" came for them.¹⁹ An account published in 1829 has Negroes themselves aiding Patty Cannon in her traffic. It tells how one black man, "exceedingly expert in the business," persuaded a slave of Worcester County, Maryland, and his free wife that the Society of Friends would enable them and their seven male children to pass into the state of New Jersey. The morning after their arrival at Patty Cannon's house they were all shipped off, never to be heard of.²⁰ The paper stated that "this account was furnished to our informer by another black who had been employed in the same business by the despicable concern." Often Negroes were misled into believing that the house was a place of refuge for runaways, the article reported.²¹ Eventually Patty resorted to stealing slaves, even in Delaware's capital, Dover.²² Delaware's Federal Writer's project related that while Quakers in Camden, Odessa, and Wilmington, Delaware, were hiding runaway slaves and sending them north to freedom, Patty Cannon was seizing free Negroes and shipping them south in slavery.²³

But it was Patty's murder of whites that eventually led to her capture. Although the *Confessions* told the story, contemporary news reports had presented an even more vivid and detailed account. The *Delaware Gazette* of Friday, April 10, 1829, carried a lead story reading: "Shocking Depravity—we have just received a letter from a friend in Sussex County, which furnished a detail of a shocking case of murderous deeds which has been carried on near the Delaware and Maryland line for some years past." The article added that while Patty had been apprehended and was confined at the Georgetown, Delaware, jail, her accomplice in crime, Joe Johnson, was said to be residing in Alabama. Later biographers claimed that Johnson had received warning of the expected arrest and had made his escape the night before, taking with him a large sum of money Patty had obtained by murdering a slave trader. It is believed that Patty begged to go with Johnson, but that he abandoned her.²⁴ The *Delaware Gazette* on the following Friday continued its "serial" coverage of Patty Cannon's arrest, telling of its reluctance to release information for "fear of undue publicity that might be given to the case, thus precluding the innocence of the accused until proven guilty."²⁵ So concerned was the paper that it even considered withholding all information until after the trial.²⁶ As to the actual event which sparked the whole investigation, the *Confessions* of 1841 do not square with news accounts of 1829. Because of the judicious attitude on the part of the newspapers, they appear to be a much more credible source than her *Confessions*, which were never confirmed as her sworn testimony. What the papers did print regarding

19. Shannan, "A Free Booter in Skirts."

20. *Delaware Gazette and American Watchman*, May 19, 1829.

21. *Ibid.*

22. Shannan, "A Free Booter in Skirts."

23. Alsberg, ed., *Delaware*, p. 376.

24. Shannan, "A Free Booter in Skirts."

25. April 17, 1829.

26. *Ibid.*

Patty's capture leaves questions in the reader's mind, but not nearly as much as the *Confessions* themselves. The *Delaware Gazette* recorded that: "[A] Tenant . . . was plowing in the fields . . . when his horse sunk in a grave, and on digging, he found a blue painted chest, about three feet long and in it the bones of man."²⁷ Naturally, remarked the paper, the news spread like fire. These were the bones of a slave trader from Georgia named Bell or Miller, or perhaps carrying both names, the article reported. At the time of the discovery of the grave, his murder was blamed on the Johnson Gang, for about 10 or 12 years ago the man was reported missing. The motive for the murder, it appears, was \$15,000 the victim had on his person with which to purchase Negroes. Though the horse of the deceased was found at Patty Cannon's, she laid claim to it until the original owner from Maryland made a counter claim. She asserted that the missing person had sailed with his cargo. The convicting evidence at the time of Patty's arrest came from Cyrus James, a captured member of the gang. Before the Justice of the Peace of Seaford, James said that Joseph Johnson, Ebenezer F. Johnson, and Patty Cannon had shot the victim at supper in Patty's house, and that James had seen them burying him. He testified to other killings and announced that he could show where the bodies had been buried.²⁸

Patty's biographers make much of the fact that the trial of Joe Johnson for kidnapping a free black in Delaware and taking him into Maryland is the only recorded instance of a trial for any of the crimes. They have found no records showing that Patty herself was ever brought to trial or arrested.²⁹ Here again, the news accounts must be relied upon, since they serve as the only extant record. Her biographers did not follow the newspaper clues, which were found in the "serial" treatment of the capture. Instead, they relied solely on what their predecessors found or they read only the April 17, 1829, issue of the *Delaware Gazette*. On Tuesday, May 19, 1829, the *Gazette* printed an apology to its readers for previous misinformation and attempted to rectify its errors with this release:

We inadvertently stated that her trial might be expected to take place about the time of the publication. It was the Court of Common Pleas which was then in session, and by the Constitution of our State the trial for capital offences is confined to the Supreme Court, whose regular session does not take place in that County until August next. Several bills of indictment were found against the old woman, but she has saved the Court the trouble of trying, and perhaps the Sheriff that of performing even a more unpleasant duty, as she died in jail on the 11th instant.

Calling Patty Cannon "the first lady of crime" of Maryland and Delaware, Ted Giles argued that the combined efforts of the historian and the psychologist would be needed to unravel the full story of this mysterious woman, left too long to the dramatists.³⁰ It is to be hoped that new information will be forthcoming someday, and that her life can be examined as closely as Giles has proposed, for it will give us a study in criminal pathology and the pathology of the slave system.

27. *Ibid.*

28. *Ibid.* The paper remarked "that Cyrus James was bound to Patty Cannon since the age of 7, to have done much mischief for her and Johnson."

29. Shannan, "A Free Booter in Skirts."

30. Giles, *Patty Cannon*, p. 89.

Reviews of Recent Books

The Correspondence of William Nelson as Acting Governor of Virginia, 1770-1771. Ed. John C. Van Horne (Charlottesville: The University Press of Virginia, 1975. Pp. xxxi, 176. \$12.50.)

This edited volume is the outgrowth of a project undertaken by the editor in a documentary editing course at the University of Virginia. Physically the volume is an attractive one, and the text and editorial apparatus reveal sound editing techniques.

The volume presents a well-organized introductory essay of thirteen pages which provides ample information about William Nelson, a very wealthy merchant and councilor who became acting governor of Virginia after the death in 1770 of the governor, Lord Botetourt. While the brief period of Nelson's incumbency, less than a year, was "a period of relative peace," the fifty-one documents included here reveal that some major issues marked Virginia's politics. Despite the title of the volume it actually involves principally just one aspect, albeit a very important one, of Nelson's correspondence, that with certain English officials—the secretary and undersecretary for the colonies and the Board of Trade. The documents in one form or another can all be found in the Public Record Office in London.

Acting Governor Nelson's letters to London reveal him as a person of great tact and moderation—qualities which helped keep him in good graces with British officialdom. He reassured them that Virginia's western land expansion would be restrained as required under the Proclamation Line of 1763, although it is obvious that the pressures within Virginia were great.

The one internal crisis of Nelson's brief governorship was a natural one—devastating floods on the James and other rivers. In response to strong petitions from flood-ravaged farmers, Nelson in July 1771 issued a call for a special session of the legislature.

Van Horne's editing often is quite detailed. In dealing with a letter from John Stuart, Superintendent of Indian Affairs, to Lord Botetourt, in 1770, which covers a conference with the Cherokees, the editor presents a very lengthy and highly informative series of notes—clearly the product of thorough research (pp. 90n-91n).

It is difficult to find much fault with such an excellent editing achievement as this volume represents. Ample evidence abounds of superior craftsmanship—a natural sense of how editing ought to be done. The many biographical sketches, for example, are succinct and informative. One caveat for the future, however, is in order. If this were a major project funded by the National Historical Publications and Records Commission, that body would feel uneasy that only fifty-one documents of average length required a book of this size. The Commission, I feel certain, would favor leaner annotations. It is very likely that the editor in his next editing project will for economic reasons find it necessary to shorten his explanatory notes. It is evident in any case that this volume on Nelson, though limited in scope, comprises a very commendable contribution to historical scholarship.

The University of Connecticut

ALBERT E. VAN DUSEN

The Documentary History of the Ratification of the Constitution. Volume I: *Constitutional Documents and Records, 1776-1787*. Volume II: *Ratification of the Constitution by the States: Pennsylvania*. Edited by Merrill Jensen. (Madison: The State Historical Society of Wisconsin, 1976. Pp. 391; 779; \$20.00; \$27.50.)

This is the most significant contribution to the history of ideas of the Revolutionary-Constitutional era since publication of *Pamphlets of the American Revolution*, edited by Bernard Bailyn. The volumes comprising this study are valuable to a far wider audience and are vastly more comprehensive than that seminal work. Projected to fifteen volumes (plus a massive microfiche supplement), *The Documentary History of the Ratification of the Constitution* is being published in ample time for historians to reappraise the writing and ratification of our frame of government, including the Bill of Rights, during the bicentennial celebration of the Constitution.

In 1936 J. Franklin Jameson originally proposed publication of papers relating to the Constitution's ratification. He persuaded the National Historical Publications Commission to take this on as its first major project. A variety of events delayed implementation of that decision, but in 1957 the Ford Foundation provided initial funding and the following year Robert E. Cushman assumed editorial leadership of the papers. Initially scheduled for completion within five years, with a total of eight or fewer volumes, researchers soon discovered the magnitude of their sources and guidelines began to change. Yet the most significant alteration of the program resulted from an action by the Grim Reaper.

Most of us developed our basic concepts of constitutionalism from Robert Cushman's writings. His career as one of America's foremost political scientists and his achievements in constitutional scholarship were to be capped by leading the organization and supervising the editing of works that were visualized as becoming the standard study of constitutional ratification. With Volume I nearing publication, "Mr. Constitution," Robert Cushman, died. The selection of his successor ushered in the final era of the ratification papers.

Volume I as finally published clearly bears the stamp of the new editor, Merrill Jensen. The foremost political historian of the Revolutionary-Confederation era, Jensen presents a distinctly historical perspective of the ratification process. Political scientist Cushman began his draft of Volume I with the Confederation Congress' reaction to the document coming from the Philadelphia Constitutional Convention of 1787. Jensen's Volume I begins with the Declaration of Independence, continues through the drafting and ratification of the Articles of Confederation, includes documents relating to proposed amendments to the Articles, records the land ordinance of 1785 and the Northwest Ordinance of 1787, and, on page 176, reaches Chapter V, "The Calling of the Constitutional Convention, 21 January 1786-21 February 1787." One then may trace actions of the Annapolis conference and the Confederation Congress which led to the great event in Philadelphia. Following chapters in Volume I outline appointments of delegates, significant debates during the Constitutional Convention, the formal report of the Convention to the Confederation Congress, and a final chapter documenting the reaction in Congress plus private commentaries by members of that body to the proposed Constitution. So, in Volume I as now constituted, the last chapter reaches the initial point of Professor Cushman's project.

Considering the availability of such documents as the Declaration of Independence, the Articles of Confederation, and Max Farrand's *The Records of the Federal Convention of 1787*, and the very high cost of printing (Volume I sells for \$20), one may question the inclusion of these items, but only briefly. Their presence will be especially appreciated by those beginning a study of the ratification process and by students of political and constitutional ideas. From the statements concerning equality and "unalienable Rights" of the Declaration, to the Articles of Confederation mentioning "Security of their [ie: "Colonies," not citizens] Liberties and general Welfare," to the preamble of the Constitution which returns to focus on the rights of the people when it speaks to establishing justice and securing liberty, changing values become clearer.

In traveling, once again, the road down ratification of the Articles and then moving on, in Volume II, to Pennsylvania's ratification of the Constitution almost a decade later, one is struck by the preoccupation with narrow self-interest of the state legislators as they considered the Articles, and the concern with liberty, justice, domestic security, and individual freedom among those debating ratification of the Constitution. In 1778 Massachusetts, for example, worried about the fund-raising capacity of the Confederation Congress because "the nine smallest States" could control the Congressional purse. Massachusetts proposed that "ten States, or at least the Delegates for two thirds of the people of the United States should determine such matters" (Vol. I, p. 103). Conversely, little Rhode Island feared that population shifts would occur so rapidly that using a decennial census allowed too long a period for change when apportioning expenditures according to population, and requested a census "once in every five Years at least" (Vol. I, p. 106). In both cases, however, the legislatures authorized their representatives in Congress to ratify the Articles regardless of action on their proposed amendments. Delaware held out until early 1779, hoping to secure some benefits from the western lands, and Maryland until 1781 for similar reasons. Then, with the realities of a British invasion confronting them, members of the Maryland legislature gave limited endorsement to the Articles, declaring that "this state doth not relinquish . . . any right or interest she hath . . . to the back country . . ." (Vol. I, p. 136).

Newspaper essays and private correspondence concerning ratification of the Constitution in Pennsylvania present a remarkable contrast to the pragmatic attitudes expressed by revolutionary legislatures. In 1787 many persons perceived the political and economic situation to be critical, the Confederation Congress seemed incapable of continuing, and letter writers feared increased domestic violence, yet appeals to expediency and practical self-interest were remarkably limited. Further, ideas molded and altered the views of readers. Francis Murray, for example, wrote on November 1, 1787: "I must acknowledge to you that I am greatly changed in regard of my sentiments of the proposed Federal Constitution since I saw you last. And it is in great measure owing to the Centinel No. 2, the Old Whig No. 2 and 3 . . ." (Vol. II, p. 207).

Volume II of the *Documentary History* contains private correspondence and public commentaries on the Constitution prior to, during, and after the state ratifying convention. It also includes the relevant proceedings of the state legislature as well as the official proceedings of the ratification convention and the quasi-official dissent of the convention minority. Most valuable, in terms of constitutional and ideological analysis, are the letters and pamphlets preceding the convention and those following it. In addition, one may gather a sense of the intensity of feeling by reading the personal attacks made by members of both sides following the convention. Least valuable (in relative terms) is the convention debates. Given the heavy majority of Federalists among the delegates, ultimate acceptance of the document seemed certain. Both within the Pennsylvania legislature and in the ratification convention itself, Antifederalists fought delaying actions and propaganda battles. Considering that only three Antifederalists spoke formally during the convention, opposition to ratification may be considered remarkably potent. They forced the proceedings to extend over twenty-two working days. By doing so they raised ample fodder for likeminded persons to digest as opposition to the Constitution mounted elsewhere. Additionally, one interested in parliamentary maneuvering and debate will find the proceedings of both the Pennsylvania legislature and the ratifying convention quite instructive. Opposition leaders were not plain folk, lacking in education or political experience. They outmaneuvered Philadelphia lawyers on several occasions.

Readers of this magazine will be interested in comparing the quality of arguments and of parliamentary proceedings in Pennsylvania with those occurring in Maryland, a comparison which will have to wait until publication of Volume VI, when the Rhode

Island referendum, and the Maryland, South Carolina, and two New Hampshire sessions are reported.

Organization, annotation, indexing, and editing are up to the usual high standards of a Merrill Jensen endeavor. Quality of paper, binding, and cover are such that scholars may pour over the work without fearing that pages are going to drop off at the touch. I have only one complaint: with the publication of these volumes and the accompanying microfiche collections, we will have fewer legitimate reasons to spend delightful hours in state archives and historical societies pursuing our research. Those who are less selfish will exult as additional volumes appear because the thrill of discovery will be more readily available to those unable to travel far and wide on historical hunting expeditions.

St. Lawrence University

JAMES S. VAN NESS

The Documentary History of the First Federal Election, 1788-1790, Vol. I. Edited by Merrill Jensen and Robert A. Becker. (Madison: The University of Wisconsin Press, 1976. Pp. xxxi, 896. \$30.00.)

Americans, having established a republic with a limited government, tended at first to neglect the storage and publication of their own historical records. Such activities were thought to be more appropriate to an imperial style and the dynastic pride of monarchs or aristocrats. As a result our historiography and our understanding have suffered. From that unfortunate starting point, we have been moving—ever so slowly—toward a more formal, coordinated program of gathering, storing, and publishing the records of our national life.

The development of historical scholarship in America and J. Franklin Jameson's persistent efforts gradually have eased the aversion to using public funds for such purposes. By the early 1930s, the more theoretical arguments were reinforced by a Depression-born need to spend money on a broad range of recovery projects and public works. A month before President Hoover left office, he laid the cornerstone of the National Archives Building while a year or so later his successor, Franklin Roosevelt, signed the National Archives Act.

From this legislation arose the agency (the National Historical Publications Commission) which is the ultimate progenitor of this volume. In 1952 the Publications Commission authorized the collection of documents which might serve to illuminate the process by which Americans came to write and ratify the Constitution. So wide a net was spread that by 1966 the project was subdivided to cover the first federal Congress and the first federal elections, as well.

The task of editing the election material was assigned to the University of Wisconsin and this is the first of a projected series of three volumes. It covers the discussions in the final Confederation Congress and the election ordinance which that body enacted. The process is then followed in South Carolina, Pennsylvania, Massachusetts, and New Hampshire. The order was apparently determined by the time when the state elections were held; thus documentation of Maryland's first federal election (January 7-11, 1789) will appear in the second volume.

The origins of this volume and the continuing presence of Merrill Jensen give ample grounds for anticipating an outstanding production and that expectation is fully realized. The editorial policies, all quite unexceptionable, are fully explained in this first volume. There are also short biographical sketches for each candidate whether for the ephemeral office of presidential elector or the more coveted seats in the House of Representatives or the Senate. In some instances, the editors have noted that these accounts revise the biographies which appear in the *Dictionary of American Biography* or the *Biographical Congressional Directory*. Brief explanatory essays introduce each section so the situation in that state becomes more understandable. Furthermore, a short chronology has been

provided for the election process in each state. Useful and restrained notes have been appended to each document while at the end of the volume is a detailed, clear index. Scattered conveniently throughout the text are appropriate lists, votes, and statistical tables.

As valuable as all this technical apparatus is, the ultimate test of a collection of documents is the quality and variety of items which are being reproduced. Here, also, Jensen & Company have exercised both selectivity and solid judgment. They have included official documents such as legislative proceedings, texts of laws or proclamations, and the credentials of the victorious candidates. To all these have been added excerpts from personal correspondence and diaries. In this particular category may be found the many messages to and from George Washington concerned with insuring a smooth transition for the new governments. The epistolary comments and judgments of various lesser "lights" are also cited. These in turn are balanced with selections from newspapers, pamphlets, and broadsides. We have at this level certainly not reached the "inarticulate," yet in these journalistic pieces may be found the common coinage that passed in the public discussion of the issues.

Such diverse materials can not be simply characterized, but cumulatively what emerges is an impression of how seriously and minutely those earlier Americans went about the public business. Every detail of the electoral process, on both the national and state levels, was scrutinized closely for what its potential effect might be. One side or another would benefit or suffer from the various stipulations in the laws. Every possible advantage was pressed; no suspected obstacle was left unchallenged. The resulting electoral process varied from state to state according to which group dominated the legislature and how much they finally had to yield in order to secure enactment of the necessary laws.

In this general struggle, there was one small bone of contention which is of particular interest to Marylanders. For a brief moment in August 1788 Baltimore was tentatively named as the site for inaugurating the new government. This surprising turn was the result of the rivalry between New York and Philadelphia for the honor. The appropriateness of the choice of Baltimore was cogently argued in the newspapers and correspondence cited in this volume — as also the views of those who preferred other locations. This glimpse of future glory proved short-lived, however, when two days later the decision was reconsidered and overturned. In the end, New York was given the honor which it quickly lost. It is indeed a small episode but one that is neatly and thoroughly covered in the documents and notes of this volume.

With this little "nugget" and so much more, it is not difficult to recommend this work. The editorial choices have been perceptive and broad; the scholarly apparatus conforms to the best usages; the format provides easy access and appears durable. There is a wealth of information to be found between its covers. The next volume, containing the section on Maryland's election, should prove even more interesting. The series and its companions will admirably serve the historical need which even our republican society has finally come to recognize.

Loyola College

NICHOLAS VARGA

The Lady and the President: The Letters of Dorothea Dix and Millard Fillmore. By Charles M. Snyder. (Lexington: University Press of Kentucky, 1975. Pp. 400. \$9.50.)

Dorothea Dix and Millard Fillmore are elusive figures, remembered vaguely for their important public careers that were quickly overshadowed by the events of the day. This edition of their correspondence attempts to rescue them from oblivion, but the properties

of letter writing and the nature of their friendship allows little insight into either the public or private individuals.

Fillmore's personal papers were long thought to have been destroyed at his son's death, and their recent discovery coupled with the recent availability of Dix's papers prompted the publication of their correspondence. Charles M. Snyder, the editor, hoped the correspondence would open "new perspectives upon two prominent, long-neglected Americans" (p. 20). Snyder, however, overzealously published every extant scrap of the Dix-Fillmore correspondence, thereby obscuring the few insightful exchanges. The elimination of routine notes setting up appointments or thanking each other for keepsakes could have reduced this book to an article.

Fillmore and Dix were drawn together by their interest in each other's career. They began to correspond in 1850 while Dix was in Washington to obtain a land grant for the mentally ill. Vice-President Fillmore supported her bill, and they agreed on other policies as well. Both were strong unionists abhorring extremism on either side. The hallmark of Fillmore's career was compromise to preserve the union. Dix agreed and helped bolster his resolve. She traveled constantly to observe conditions in mental institutions, and her letters to Fillmore while he was in office showed her to be an astute and candid observer of both northern and southern political conditions.

These early letters set the tone for their subsequent correspondence. Dix was the traveler sending her observations to Fillmore who after 1854 watched the political scene from Buffalo, New York. Fillmore's letters to Dix were largely responses to her observations and political probings, and for this reason Dix's letters were far more revealing than Fillmore's.

What Dorothea Dix's letters revealed is a lady who was a strong-minded, ambitious woman. Snyder chose his title well: Dorothea Dix was always a lady able to accomplish her ambitious plans precisely because she accepted the social conventions prescribed for a "lady." She did not allow these conventions to restrict her activities but used them to her advantage. She traveled around the country, often alone, and spoke in public to state legislatures on behalf of mental institutions. She did these things, however, in such a manner that allowed people to accept her as a proper lady. Fillmore's letters to Dix clearly showed the acceptance of Dix's dual role. He admired and supported her work and respected her political judgments while he treated her with the propriety a lady deserved. A comparison of Dix's letters to her life-long friend Ann Heath with those to politicians like Fillmore would more clearly point out that Dorothea Dix was a politically savvy woman who was also a lady.

Charles Snyder was somewhat heavy-handed in editing, possibly because these letters were too brief to stand alone. The 105 letters to Millard Fillmore and the 69 letters to Dorothea Dix span twenty years, 1850-69, and were often separated by months. A narrative of Dix's and Fillmore's individual careers was necessary to make these brief notes understandable. Snyder did this with introductory biographical sketches, chapter introductions, and summaries and explanations preceding each letter. This necessarily allowed for repetition of material, and many of the letters printed did not warrant such detailed study. Repetitious narrative, however, is preferable to erroneous analysis, and throughout the book Snyder attempts to build a romantic bridge between Dix and Fillmore where clearly none existed.

Millard Fillmore and Dorothea Dix respected one another's work and valued their friendship, but neither unburdened him or herself in this correspondence. Their letters are useful in that they increase sparse collections of these individuals' personal papers. Alone the letters are too brief and too reserved to reveal great insight into the lives of Dix and Fillmore.

American Lawyers in a Changing Society, 1776-1876. By Maxwell Bloomfield, (Cambridge: Harvard University Press, 1976. Pp. xiv, 397. \$15.00.)

Legal historians have followed the work of Maxwell Bloomfield since he published an article on William Sampson and the codification movement a decade ago. That article and three others form the basis for four chapters in this book, which is published as a volume in the Studies in Legal History series sponsored by the American Society for Legal History. Bloomfield, professor of American history at the Catholic University of America, has put together a total of nine essays, five of which are essentially biographical and range from "Peter Van Schaak and the Problem of Allegiance" to "John Mercer Langston and the Training of Black Lawyers." Four of the essays are more broadly conceived, designed to "comprehend the practitioners of the past in their totality . . . taking into account not only the influence that bench and bar wielded over the lay public, but also the equally important restraints that societal norms imposed upon the thinking and behavior of the professional classes" (vii). These essays cover antilawyer sentiment in the early republic, antebellum family law, the professional image of the bar, and the role of lawyers in the 1844 Philadelphia riots.

Professor Bloomfield writes in a style that skillfully blends bibliography with analysis. The chapters read like well-developed lectures, casting light on the century covered in the kind of depth one misses in such broader studies as Lawrence Friedman's *History of American Law*. The essay on antilawyer sentiment, for example, confirms what others have written about the unpopularity of lawyers after the Revolution, but Bloomfield discovered a widespread ambivalence that, while manifesting itself in strong antilawyer feeling, seldom developed into much more than rhetoric. "Indeed, a middle-class public, cherishing the ideals of competition, utilitarianism, and self-advancement, found itself unwilling to forego the advantages of an individualistic legal system in favor of some more equitable communitarian experiment," Bloomfield observes (p. 54), and in spite of its troubled relationship, the close connection between lawyer and public was inevitable. "Clients might rail at pettifoggery and profiteering and attorneys denounce in turn the materialism of a bourgeois society . . . , but both groups were indispensable to a system based upon individual initiative and enterprise" (p. 58). And so it remained until the system changed with the advent of administrative law in the 1870s.

In his concentrated study of the topics and people that form his chapters, Bloomfield consulted a variety of sources including legal publications, case reports, manuscript collections, and doctoral dissertations. Considering the subjects of his chapters, his research appears to be exhaustive; it certainly is impressive. In any event, his findings lead him to question traditional interpretations of legal developments and attitudes toward the law. Our widely accepted impression of the professionalization of the bar with its golden age in the new republic and later democratization and accompanying decline in standards is criticized when Bloomfield takes a closer look. He sees no sharp break with the so-called golden age and, in fact, suggests that our misguided interpretation is owing to our acceptance of the same kind of tension existing between practitioner and public in the early republic. The familiar attacks on the antebellum bar represented demands of a growing middle class for increased legal services and reform legislation to keep up with societal changes. "The drive toward reduced education qualifications for lawyers in the Jacksonian era thus paralleled and complemented the agitation by lower-middle-class constituencies for liberalized divorce laws and the efforts of small businessmen to secure general incorporation acts," Bloomfield notes (p. 138). Lawyers did express elitist ideals about their profession but these were not realized until after Reconstruction when increasing numbers of apolitical practitioners began specializing and withdrawing from public life.

Rather than focusing on the giants of American law, Bloomfield writes about five lawyers he thinks representative of the bar at a particular time in a particular place. Each is representative of how lawyers adapt to change in American society, the conclusion being that law does in fact adjust and often because of what lawyers do. It is of course questionable just how typical these individuals are, but what we learn about a black lawyer's experience in Ohio and Washington, D.C., for example, is more significant for what it tells us about that society than about William Langston anyway. That is why the subjects of these essays—Peter Van Schaack, William Sampson, Frederick Grimké, William Pitt Ballinger, and John Mercer Langston—were chosen. Bloomfield has made good use of the mixture of biographical and topical essays to cover a critical period in the development of American law and society, demonstrating along the way that the two are more closely connected than most have previously recognized.

*Institute of Early American
History & Culture*

CHARLES T. CULLEN

Book Notes

The Guide and Index to the Microfiche Edition of the Papers of Benjamin Henry Latrobe. Editor in Chief, Edward C. Carter, II; Microfiche Editor, Thomas E. Jeffrey. The Microtext Edition. (Clifton, N.J.: Published for the Maryland Historical Society by James T. White & Company, 1976. Pp. [vi], 129. \$25 for the guide, \$600 for the complete microfiche edition with guide.) Benjamin Henry Latrobe (1764-1820) had a remarkable career, among other things pioneering the development of architecture and engineering as professions in the United States. His personal relationship with the leading men of his age and the resulting correspondence, his journals, his remarkable drawings, sketches, watercolors, and maps, all give his collection of papers national significance. They are the more important because, Latrobe not being a political or military figure, they offer a perspective unlike most published documents. The provenance of the papers, and how they came to be edited and published, are well described in the Introduction to the Guide. The enormous historical and cultural value of the Latrobe papers require little comment. The format of this edition, however, is as pioneering as its subject. After having arduously collected copies of some 1,700 Latrobe items outside the M.H.S. holdings, the combined total was carefully arranged. Rather than edit and publish the entire corpus in an expensive multivolume letterpress edition, a project that would require many years, the editors decided to publish a complete microform edition rather quickly, then print a letterpress edition of selected items. Yale University Press will publish the letterpress edition in four series: *Series I: Journals*, three volumes with accompanying illustrations; *Series II: Architectural and Engineering Drawings*, two portfolio volumes with scholarly introductions; *Series III: Latrobe's view of America*, one portfolio volume of watercolors and sketches; *Series IV: Letterbooks*, four volumes of correspondence. The microform edition, available now, contains every item in the collection, with a minimum of editorial apparatus. The selected letterpress edition will feature detailed annotation and commentary. This two-step publication format is, of course, similar to that followed by The Adams Papers. However, in that project microfilm is the medium. The editors of the Latrobe Papers decided, after careful study, that microfiche (whose 105mm × 148mm [4" × 6"] card contains 98 images [at a 24:1 reduction ratio]) had greater flexibility for a collection whose documents, maps, and drawings varied greatly in size, and was more useful to the scholar. This last point deserves amplification. Researchers often find locating a particular item on a 100-foot role of microfilm, dimly numbered, a frustrating task. But items on a 98-image card, arranged in grid form with alphanumeric location numbers (e.g., A4, C6, etc.) can be quickly found. The 315 fiche are numbered seriatim, and the numbers, at the top of the card, are eye legible. The cards, each in its own protective pocket, are arranged in order in two boxed loose-leaf binders. The detailed guide (which includes an explanation of its use, a Latrobe chronology, a list of Latrobe's architectural/engineering projects by heading) contains an excellent index to the microfiche. This is the heart of the edition, because useability is the sine qua non of microform publication. This cross-referenced index, arranged alphabetically under the name of the recipient or by the name of the writer if Latrobe was the recipient, also includes all the architectural drawings and engineering projects, listed by project heading. Hence to locate Latrobe's November 22, 1802, letter to Jefferson indexed as 166/A4, one simply puts fiche #166 on the reader, and turns to grid A4. Convenient and simple! The papers thus made available, and their format, represent major contributions to the study of American history.

Learning Vacations: A Guide to College Seminars, Conference Centers, Educational Tours. By Gerson G. Eisenberg (Baltimore: Eisenberg Educational Enterprises [2 Hamill Road, Suite 327, Village of Cross Keys, Baltimore, Maryland 21210], 1977. Pp. vii, 117. \$2.95.) In this attractive, well-designed book Mr. Eisenberg has performed a most useful task, compiling in one place a detailed guide to the dozens of "learning vacations" now available to the discerning vacationer. Many Marylanders are familiar with the Hopkins Seminars held in the summers at St. Mary's City, but other universities and institutions throughout the nation offer a smorgasbord of exciting educational experiences open to the public. Mr. Eisenberg has collected information on most of these programs, arranged it by state, and indicated what's offered, date and cost, the social and recreational facilities available, living arrangements, facilities for children, listed any restrictions, made additional informative comments, and given an address for further information. This book should be a boon to those who like to live *and* learn and enjoy doing both.

Adams and Jefferson: A Revolutionary Dialogue. By Merrill D. Peterson. Mercer University Lamar Memorial Lectures, No. 19 (Athens: The University of Georgia Press, 1976. Pp. xiv, 146. \$7.00.) In this artful series of lectures, Merrill Peterson first discusses the commonality and differences between Adams and Jefferson, then goes on to show how they moved apart in response to the French Revolution, and concludes with an analysis of their reconciliation late in life. In his remarkably subtle, sometimes profound little book on two great men, Peterson has again performed a real service to the scholar as well as the informed lay reader. An excellent example of *multum in parvo*.

Alexandria: Town In Transition, 1800-1900. Edited by John D. Macell. (Alexandria, Va.: Alexandria Bicentennial Commission and Alexandria Historical Society, 1977. Pp. xv, 205. \$4.95.) No better evidence of the vitality of local history today can be asked than by the appearance of this handsome volume. It contains ten essays on substantial topics—government, transportation, architecture, churches, education, and everyday life, among them. The contributors have taken their assignments seriously and have devoted considerable efforts to develop their topics in scholarly fashion. One (G. Terry Sharrer) is a contributor to this *Magazine*. Alexandria, just across the Potomac, has been Maryland's neighbor for decades. In earlier years the river joined rather than separated. There is much of common interest, for among other things Alexandria was keenly interested in the Chesapeake and Ohio Canal and its access to the western markets. The town was part of the District of Columbia when the century began. It was returned to Virginia in 1846, and during the whole of the Civil War was occupied by Union forces. Alexandria experienced the trials of post-war Southern economy but the results of enthusiastic over expansion as well. Like every other community, Alexandria is a mixture of its own unique character and of its place in the larger whole of Commonwealth, regional, and national history. As in every collection of papers, there is in this volume some unevenness and overlapping. Under less skilled editorship there would have been more, and the merits of the book are numerous. It will find a welcome place on local history shelves. [Fred Shelley]

A Guide to Resources for the Study of the Recent History of the United States in the libraries of the University of Iowa, the State Historical Society of Iowa, and in the Herbert Hoover Presidential Library. Compiled by Boyd Keith Swigger. (Iowa City: University of Iowa Libraries, 1977. Pp. viii, 283. \$10.00.) The publication of a new guide to historical source material is always good news. When the job is well done and represents a cooperative effort involving three important repositories, the good news is tripled. All of these things are true of *A Guide to Resources for the Study of the Recent History of the*

United States . . ., compiled by Dr. Swigger and just published by the University of Iowa Libraries. The three repositories are neighbors, and the immediate and obvious value of the *Guide* is to those who conduct their research in the West Branch-Iowa City orbit. But the careful user will readily discern wider uses for this volume. The Hoover Library contains a vast array of original sources far transcending the quiet scene in the little town where a president was born. The state historical society has a mandate to concentrate on the history of the Hawkeye State, but the scope of interest in its holdings is by no means parochial. The university library is major by every measure: holdings, staffing, service, enterprises. Its holdings of original sources are nationally noteworthy. The student of U. S. twentieth century history will note in the *Guide* how skillfully original sources and basic library holdings have been augmented by pertinent microforms of sources made available in the programs of the National Publication and Records Commission, the Presidential Papers Program of the Library of Congress, and the publications of the National Archives. These microforms are as various as the Henry L. Stimson papers at Yale, the Warren G. Harding papers in the Ohio Historical Society, the George E. Hale papers in Pasadena, the Morris Millquit papers in the State Historical Society of Wisconsin, and the William Howard Taft papers in the Library of Congress. The *Guide* commends itself to today's user, and it invites emulation by other groups of repositories. [Fred Shelley]

In the Shadow of the Enlightenment. Occultism and Renaissance Science in Eighteenth-Century America. By Herbert Leventhal (New York: New York University Press, 1976. Pp. 330. \$15.00.) This fascinating study discusses the continuance into the age of enlightenment of such concepts as witchcraft, astrology, the four humors, and so on. Of interest to students of intellectual history, the history of science, and Colonial America in general.

Notes and Queries

MANUSCRIPTS OF CHARLES CARROLL OF CARROLLTON

I am currently working on the Revolutionary War years in my biographical series on Charles Carroll of Carrollton. I would appreciate any information about letters or other writings by him or those received by him, particularly those in private collections or unlikely repositories.

Since 1963, when I began this study, I have kept as best I could a cumulative listing of all known Carroll items, their location, and obtained copies where possible. I estimated then that it would be a long time before institutional support, government, and other funding would produce a well-financed search and letterpress publication of the Maryland Statesman, similar to what the National Historical Publications and Records Commission fosters. This effort beyond my own work as a biographer, it was hoped, might facilitate such a series of volumes and serve to some degree needs existing before that time.

In 1970, with the assistance of Bayly Ellen Marks, then Curator of Manuscripts at the Society, and with limited funding from Scholarly Resources, Inc., under Michael Glazier, Xerox copies of manuscripts from more than twenty-five repositories were collected by mail and collated in proper chronological order with the Society's holdings. The composite was microfilmed and distributed with a printed calendar of the papers. I continue to find new items and collect additional copies that will supplement the 1971 edition. I would like to encourage private or other holders of Carroll manuscripts to contribute to this effort by sending copies of their documents to me at the following address:

Thomas O'Brien Hanley, Biographer
Charles Carroll of Carrollton
4501 North Charles Street
Baltimore, MD. 21210
(301) 323-2517

GENERAL VON STEUBEN PAPERS

The General von Steuben Papers project, located at the University of Pennsylvania, is preparing a definitive microfilm edition of the Steuben papers to be published under the auspices of the National Historical Publications and Records Commission. We are interested in all correspondence to and from the general and all other materials concerning him. Information and Inquiries should be directed to:

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