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*Historical Magazine*



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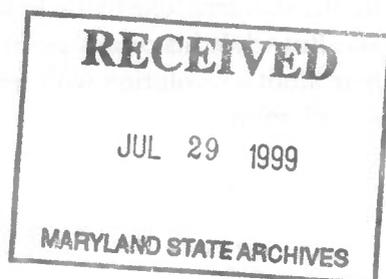
# MARYLAND

## *Historical Magazine*

VOLUME 94, 2 (SUMMER 1999)

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## *Revolutions, Large . . .*

Last issue, in this space, we noted the recent formation of the Historical Society, which had broken off from the existing professional historical societies in the United States with the avowed purpose of establishing a forum for the polite and respectful discussion of history. Actually, though civility was high on its agenda, the society wanted to revisit older historical questions and to look at other things besides the race, class, and gender issues that have become the dominant landmarks of social history. Strong suggestions for inquiry included such all-but-forgotten fields as political, intellectual, and diplomatic history, biography, and, well, all the areas that are not social history. Above all, they wish to move away from the politicization of history. Not that anyone seriously thinks historians, being mortals, can avoid political sentiments entirely, but one's politics should not be worn so prominently and colorfully on one's sleeve and investigations should be open-minded rather than *a priori*. Such, at least, seems to be the gist of the new movement.

The HS held its first national convention in Boston in May. Covering the event was the *Chronicle of Higher Education* (June 11), and if the tone of the article is any indication, the Historical Society has a long pull ahead to inform people of their nature and purpose. Despite a membership that includes prominent academic liberals as well as conservatives, and officers who represent both camps, author Courtney Leatherman searched high and low for opinions on just what the HS was—liberal or conservative—and, more importantly, could the new organization ever shed the “conservative” image with which it had been tagged. Though the article missed the point entirely that the HS seems to want only to be able to raise issues without being shouted down, it did unearth a few chilling comments that show just how deeply politics has become ingrained in the profession. One young graduate student at the convention pleaded that she not be identified lest she lose her department financing. When Michael Kazin, a labor historian at American University agreed to participate in the convention, colleagues warned: “Watch your back.”

Academic politics have long held little fascination for the rest of the world, with the possible exception of Edward Albee's biting play, “*Who's Afraid of Virginia Woolf?*” (Then again, were Richard Burton and Elizabeth Taylor portraying frustrated academic life or just being Burton and Taylor?) Few take issue with the standard joke that scholarly politics are so vicious because so little is at stake. But while historians point accusing fingers at one another, there is elsewhere afoot a revolution with serious and far-reaching consequences. More, as they say, anon.

## ... *And Small*

With this issue, the *Maryland Historical Magazine* passes a minor milestone. Most readers will notice first of all that it is later than usual. We hope you will notice little else, but the truth is the journal this time was produced entirely on a pair of small digital packages known in the trade as Zip disks. We can assure you there is nothing zippy about the production process—it involves more in-house work by an already overworked staff. (If you imagine a small, crowded room with papers, manuscripts, and proofs falling from overbalanced stacks, you are absolutely correct. Take out the computers and Dickens would know the place.) But the additional work on our part will mean some savings for the institution, and no one can argue with that. Our intention is to pass along some of the savings to our readership in the form of a protective polybag in which each journal will be shipped. Since you are reading this, you know whether or not we succeeded. If we have, it is further proof that a little revolution now and then can be a good thing.

R.I.C.

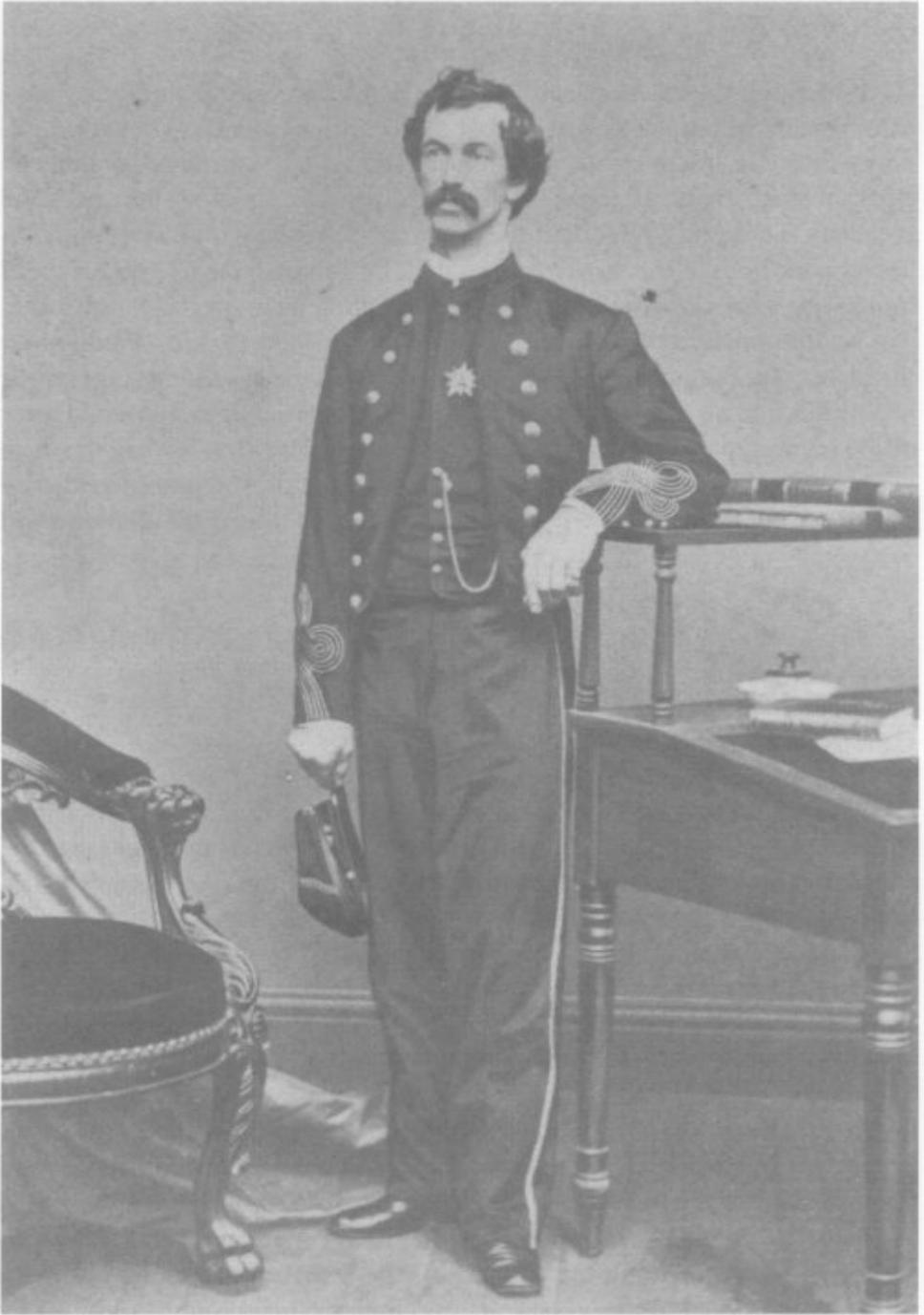
## Cover

### *Crisfield, Somerset County, circa 1920*

“The seafood capital of the country” boomed after the Civil War when local congressman John Crisfield brought a spur of the Eastern Shore Railway to the wharf at what was then Somer’s Cove. Rail access to the cities, coupled with improved canning methods and a bounty of seafood, pushed Crisfield to first place in the burgeoning Chesapeake oyster industry. In 1884 and 1885, fifteen million bushels of oysters left the Crisfield docks bound for markets around the country. Fierce, and sometimes violent, competition between Maryland and out-of-state fishermen depleted the oyster population within the decade. Crisfield fell quiet once again in the aftermath of the oyster wars, and by the early years of the twentieth century state lawmakers put forth legislation to survey the oyster beds and regulate the catch. Today, the “Seafood Capital” still ships almost half the total value of the state’s bay harvest.

Frederick Frittata (1887–1946) snapped this photograph of the watermen at Crisfield harbor during the pictorialist era of the early twentieth century. Pictorialists worked to make their pictures look like fine impressionist art by creatively adjusting light and shadow. They also achieved this effect by manipulating the film and the chemicals during the developing process. (Maryland Historical Society.)

P.D.A./R.W.S.



Colonel William Stebbins Fish served as provost-marshal of Baltimore in 1863 and 1864. His zealous dedication to duty led to the arrest of hundreds of suspected traitors. (Maryland Historical Society.)

# Prosecuting Citizens, Rebels & Spies: The 8th New York Heavy Artillery in Maryland, 1862–1864

KATHRYN W. LERCH

*“This morning the Judge Advocate brought in seven more cases to grind out & all of them Spies. It will probably take about a week.”<sup>1</sup>*

So wrote Lieutenant Marshall N. Cook of the 8th New York Heavy Artillery, stationed in Baltimore, to his brother in January 1863. Cook’s lament raised a number of questions in what was to be an account of the 8th New York’s history. Who were these spies? Can those charged be further identified by delving into prison registers and trial records? How many cases were there in all, and how many involved spies? The result of the initial investigation was surprising and has necessitated further study in this area. What began as a solution for a footnote has grown into a complex but fascinating subject, a much larger investigation of the role Cook’s regiment played in the courts-martial and military commissions convened in Baltimore during the Civil War.

Upon looking into records of courts-martial, it became apparent that this regiment played an enormous role in military tribunals in Maryland, where the army became the arm for the prosecution, conviction and sometimes execution of citizens and soldiers during the war.<sup>2</sup> This regiment was involved with the prosecution of more than 280 cases during its tenure in Baltimore, more than ten a month.

In August 1862, when the 8th New York, then known as the 129th Regiment New York State Volunteers, departed from Lockport, in Niagara County, most of the men had expected to march immediately onto the field of battle. They had never anticipated *not* going to the front immediately. Instead of continuing south to Washington, though, as originally ordered, they halted in Baltimore, a city first placed under martial law shortly after the Pratt Street riot on April 19, 1861.<sup>3</sup> Four months later, the regiment was redesignated the 8th New York Volunteer Artillery<sup>4</sup> and assigned to the Middle Department, 8th Army Corps, defending Baltimore. During the next seventeen months, as the regiment recruited

*Kathryn Lerch has embarked on a thoroughgoing social history of a New York Civil War regiment and the war’s impact on the small community from which it came. An earlier piece appeared in the spring 1997 issue of the MdHM.*

additional strength to fulfill its artillery complement, it occupied posts in many of the forts around the city. As garrison troops they practiced light and heavy artillery drill, guarded and escorted prisoners to various locations, protected the Baltimore & Ohio Railroad, guarded polling sites during elections, and attempted to control “secesh” spirit wherever it raised its head. The regiment also provided officers to serve on military tribunals.

A natural for this duty was the Harvard-educated colonel of the regiment, Peter A. Porter, who was highly regarded by many in New York State. Porter possessed the necessary business and legal skills required for service as the president of the court. He was, no doubt, also responsible for recommending other officers from the 8th who would serve with him. At least ten fellow field officers served in the special position of president or judge advocate. Major James McClellan Willett, a practicing attorney from Batavia, New York, was utilized solely as judge advocate in more than a hundred cases. Others who carried the heavy burden of judge advocate responsibilities included Captain Joel B. Baker with more than fifty cases, Lieutenant Roderick Baldwin with more than a hundred, and Lieutenant Simeon P. Webster, who had more than fifty-eight. Many more lower ranking officers, usually lieutenants such as Marshall Cook, served on courts.

By the time the regiment finally was sent south to join the Army of the Potomac in mid-May 1864, its officers had served on nearly three hundred courts-martial and military commissions brought against federal soldiers, citizens, rebels, and spies. Court testimonies, especially the appended written defenses and exhibits, yield a wealth of information about the lives and times of these individuals—on both sides of the bar. Transcripts in the National Archives include witnesses’ and defendants’ testimony, replies of the court, appeals to President Lincoln, and his responses. The documents, combined with the comments in letters from Captain Baker and Lieutenant Cook, provide an especially revealing picture of those turbulent times.

**“Ours is a case of rebellion — in fact, a clear, flagrant, and gigantic case of rebellion.” — Abraham Lincoln**

Not all Northerners supported the Union or Republican causes. Beginning in 1861, the Lincoln administration instituted a series of measures that included suspension of the writ of *habeas corpus*, military arrests, imposition of martial law in border states, and the use of military courts to try offenders of military and martial law.<sup>5</sup> The War Department’s use of “arbitrary arrests” and the suspension of the writ of *habeas corpus* distressed many, who were appalled and infuriated by the federal government’s impingement of civil rights. In May 1861 Chief Justice Roger B. Taney declaimed in his celebrated *ex parte Merryman* opinion that “the military had ‘thrust aside the judicial authorities and officers

to whom the constitution has confided the power and duty of interpreting and administering the laws, and substituted a military government in its place, to be administered and executed by military officers.”<sup>6</sup>

Secretary of War Edwin M. Stanton created the Office of the Provost-Marshal General to oversee state provost-marshals in border and loyal states. Formerly charged with just protecting the property of citizens, provost-marshals were now responsible for controlling troops, enforcing discipline, apprehending and arresting deserters and spies and escorting them to the appropriate military commander.<sup>7</sup> Provost guards received five dollars for each deserter caught.<sup>8</sup> To ensure “public safety,” provost-marshals for Maryland and the City of Baltimore were ever vigilant for those engaged in disloyal or treasonable practices, for military deserters and possible rebel spies. As a safeguard to protect citizens from overzealous provost-marshals, arrests of suspected citizens, rebels, or spies could only be made with written orders approved by a higher authority.

Baltimore, a major port and strategic crossroads between the North and South, was, following the events of April 1861, garrisoned and protected by the Middle Department, the military arm of which extended beyond Baltimore to include Delaware and the far reaches of western Maryland and West Virginia. Responsibilities of the department were two-fold: first, to guard the strategically important railroads extending west to Ohio; and second, to arrest and try in military courts any and all rebellious elements. It was also the logical location for military tribunals. Those arrested, depending on the severity of the charges, were detained in either the provost-marshal’s jail in the city or in the more secure Fort McHenry to await trial by the appropriate courts-martial or military commissions.

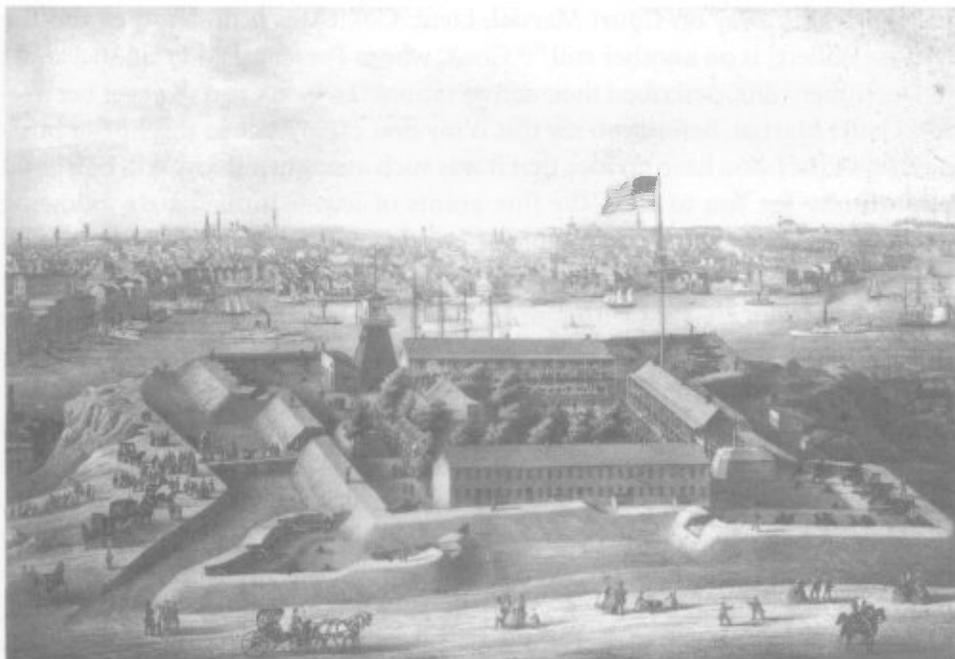
In areas placed under martial law, the army had jurisdiction over both civilians and soldiers. Unlike civil courts, military tribunals were not regular standing courts but temporary bodies convened by military order for a single case or series of cases. The intended purpose of military courts was to “limit the breaches of conduct” by officers and soldiers in the army. When judgement was pronounced, the summary written, and final approvals completed, the task of the panel was over—at least until the next court was convened.

The authority to convene the highest level of military courts rested with the “President of the United States, the Secretary of War (acting under order of the President), a general officer commanding an army or a colonel commanding a separate brigade.”<sup>9</sup> Once orders were promulgated, a president of the court was selected. The officer empowered to serve as president had the authority to appoint the judge advocate and court members—usually men whom he knew to be capable. The Articles of War also stipulated the size of the courts with five to thirteen officers. Proceedings could therefore convene “without manifest injury to the service.”<sup>10</sup> The choice of judge advocate was especially crucial because he served as the chief prosecutor.

Three levels of courts-martial (general, regimental, and garrison) had evolved in the army. The appropriate level of court-martial was determined by the potential severity of a penalty that could be handed down. A general court-martial was reserved for the most serious offenses and was intended for the prosecution of officers or capital cases involving desertion, mutiny, murder, or rape.<sup>11</sup> The president of the court might “pardon or mitigate any punishments handed down except for the sentence of death or dismissal from service,” and he could “suspend execution until the sentence was confirmed by the President of the United States.” If a death penalty was handed down, it had to be approved by the commanding general and, if so, then passed to the adjutant general in Washington, thence to the secretary of war and finally to the president. Regimental courts-martial were much simpler. They could be called by an officer commanding a regiment and dealt with in-house matters, involving charges related to discipline, such as “drunk on post,” “disorderly conduct,” “disobedience of orders,” or “absence without leave.” A minimum number of three officers could hear the case. Similar to this was the garrison court-martial, which could be called by any commanding officer where the troops included different regiments in a corps.

The traditional military court, though, could not be applied to civilians. A different form of court, the military commission, originally used in the 1840s during the war with Mexico, was revived during the Civil War to operate in areas subject to martial law. This court was considered “invaluable to the punishment of public crimes in regions where other courts had ceased to exist, and in cases of which the local criminal could not legally take cognizance.”<sup>12</sup> The military commission, composed of between four and thirteen officers and a trial judge advocate, was appointed to hear “charges of crimes committed by military personnel against civilians.”<sup>13</sup> Military commissions were important in Maryland because military jurisdiction was extended into areas of western Virginia and Maryland, where civil courts were sometimes unable to handle cases of crimes against citizens. Less common were investigative courts of inquiry. The 8th New York was involved in one such court after an accidental shooting in the barracks at Federal Hill.

Court proceedings always followed a rigid agenda. When the court first assembled, the judge advocate read the order for assembling the court and then inquired of the accused if there were any objections to any member of the court. If the accused had an objection, which occurred on occasion, that member would be replaced. The president then administered the oath to the judge advocate and he in turn to the remaining members of the court. Next, the judge advocate read the charges and specifications, after which the prisoner entered his plea. Witnesses for the prosecution were sworn in first and questioned by the judge advocate, the accused and his counsel, and other members of the court. The prosecution then rested its case and the trial proceeded with the defense. The



*From 1862 to 1864, Fort Federal Hill was the headquarters of the 8th New York Heavy Artillery, whose officers served on numerous courts-martial and military commissions. (E. Sachse & Co., 1862, Maryland Historical Society.)*

judge advocate once again swore in witnesses and for the first time the accused. Following more testimony and cross-examination, the defendant could make a final statement, which was often presented in writing and retained in the transcript of the case. The court then adjourned to “maturely deliberate” all the evidence and statements and announce its findings. If the death penalty was not involved, only a simple majority of the court was needed to convict and then pass sentence. The death penalty required the approval of two-thirds of the court and confirmation of this sentence by the president of the United States.

All officers were required to know army regulations, revised in 1861.<sup>14</sup> Out of the one hundred one articles of war, twenty-seven detailed how the military tribunals or courts would be structured, the duties of the officers, the procedures to be used and the penalties to be assessed. The campaign season determined the scheduling of military courts, and most were convened between October and May when armies were “in camp.” The first opportunity for a member of the 8th to serve on any court would have been under the General Orders issued in October 1862.<sup>15</sup>

The courts were soon overwhelmed with cases. Letters from Marshall Cook and Captain Joel Baker describe the sudden demand for officers in the military courts. Baker assumed the duties of acting colonel because, as he wrote, “Colo-

nel [Porter] is away on Court Martial, Lieut. Col. Bates is on another and the Major [Willett] is on another still.”<sup>16</sup> Cook, whom Porter asked to sit on a court in December 1862, described their conversation. “Lt. Cook you’ve never been — to a Court Martial. Before you say this is my first experience in this line of business says I [he]. You have no idea that it was such an awgust Body. Will be a good opportunity for You to learn the fine points of law.”<sup>17</sup> Immediately following the battle of Gettysburg, Baker wrote of “a large number of prisoners here of all kinds, some deserters from our own army, prisoners of war from the Rebels — spies — and a lot charged with murder and arson who have to be kept in close confinement.”<sup>18</sup> The next month Baker, acting as officer of the guard at Fort McHenry, commented: “I have under my charge eight rebel officers charged with high crimes. Two others are accused of being spies, another of treason and another of recruiting in our lines for the Rebels.” Both Baker and Cook had hoped to get home to western New York for recruiting duties or on a furlough, but the unending log of court cases wreaked havoc with their plans. In September 1863, Baker wrote directly from the courtroom: “We are still engaged in the Court Martial and do not see the end. We have a long case on hand this week commencing Tuesday morning and is now about half done. We were obliged to postpone it to get testimony from Washington and New York.”<sup>19</sup> At the end of 1863, Cook wrote somewhat despondently that there seemed to be no end in sight. “Our Court convened at ten AM today, read the proceedings of yesterday & then adjourned until 10 AM tomorrow for the want of witness. The judge Advocate then showed us the list of prisoners to be tried by this Court, didn’t count them but should think there was about 50 names. The Let Col (President of the Court) thought if we had *good luck* could *grind* them all out by the time our term of service expired.”<sup>20</sup>

Considering that an average case may have taken three to five days, the burden on the regimental officers’ time would have been extensive. The military court indices created during the Civil War list thousands of cases, and the listing is not completely accurate or complete. When the indices are consulted for all cases convened in Baltimore from September 1862 to June 1864, under specific presidents and judge advocates, one finds that the majority of the cases are officered by members of the 8th New York. In addition, each numbered case could be for either one individual or for “any other cases to come before the court.” After reviewing a majority of the numbered cases, it is evident that the 8th was involved with at least 280 cases and may well have participated in more. The final number of cases cannot be determined until all the case files are opened and any additional names, if found, added to the data base of individuals tried.<sup>21</sup>

The 280 known cases fall into two categories. Slightly more than 70 percent involved members of federal regiments, such as the 5th and 8th New York Heavy Artillery Regiments, the U.S. 2d Artillery, the Veteran Reserve Corps, and as-

*Captain Joel B. Baker, 8th New York Heavy Artillery. (Courtesy, Naomi Baker.)*



sorted Connecticut, Delaware, Maryland and Pennsylvania units. Not quite 30 percent of the cases involved Confederates and citizens from Maryland, Virginia, and West Virginia. In the first category comprising federal troops, the 8th dealt with an enormous number of mundane cases. Officers trying them reflected the tedium in letters home. They seldom mentioned individuals and only then if the case was dramatic and the penalty great. Evidence given in such cases was usually easily obtained and corroborated by supposedly reliable witnesses. Cases generally concerned soldiers charged with being drunk while on guard duty or sleeping at their posts in an inebriated state. Others got drunk and suddenly felt no compunction about assaulting superior officers or other men.

Fights, disorderly conduct, and assault carried serious penalties. One such case in Company A of the 8th New York involved Private Martin Mullins. The first charge against Mullins was “conduct prejudicial to good order and Military Discipline,” the second “shooting with intent to kill.” Mullins on the night of November 28, 1863, had “repeatedly and wrongfully fire[d] a gun, which was loaded with powder and ball, thereby creating alarm among the sentinels on duty there, and disturbing the peace.” He had also “deliberately and wilfully fire[d] a gun . . . at one William Burroughs . . . then being on duty as a sentinel.” The court decided Mullins was indeed trying to kill Burroughs and sentenced him to “two years confinement at hard labor, with loss of pay, and with ball and chain attached to his leg.”<sup>22</sup>

Soldiers who saw no end to their misery in camp might desert or go AWOL,

only to be caught and charged—further increasing their enmity against the military life. One trooper while being held in the guardhouse assaulted a guard with a brick. Another attempted to “accidentally” burn down the barracks.<sup>23</sup> The first offender had the left side of his head shaved before being interned at Fort Carroll in Baltimore harbor. The latter got off more easily with a reprimand in front of his regiment and loss of a month’s pay.

The caseload grew to the extent that it became expedient to act less formally in order to save time. In lieu of a regimental court-martial, for example, Eighth Corps headquarters gave Colonel Porter the authority to convene proceedings to deal with the minor infractions typically presented in a regimental court-martial, although any sentences had to be approved by a superior officer commanding the brigade.<sup>24</sup>

In the second category, almost 30 percent of the cases, charges were brought against civilians, Confederate officers, rebels, and spies. The charges were more serious but more often than not based on more specious evidence, where “arrests could be made not so much for what has been done, as for what probably would be done.”<sup>25</sup> These cases obviously challenged civil liberties. Individuals could be charged with crossing military lines, running a blockade, spying, aiding the rebel cause or displaying unpatriotic behavior. Although the cases in this category were less numerous, the responsibility for trying them was more demanding and required extraordinary skills. The accused could be labeled a “citizen-spy,” “CSA-spy,” “citizen-political prisoner,” or just “citizen.” Distinctions between the charges easily became blurred, making the job of the court more difficult.

From this large body of 280 cases, ten special cases have been selected as examples: three involving federal soldiers and seven involving citizens or Confederates. Each case becomes unique as one begins to put names and events together, based on court testimonies. One begins to see a much clearer and more personal picture of the events that transpired during the war.

#### *Pvt. Peter Haring — Potomac Home Brigade*

In May 1863, Peter Haring of Company C, the Potomac Home Brigade, was brought before a court-martial charged with disrespect toward his commanding officer and “using highly improper language to the prejudice of [good order and military] discipline.” Testimony showed he had been drunk and overheard to say he “would rather be in the Southern Army than here,” and that he “would never raise his rifle again in favor of a nigger.”<sup>26</sup> His wife wrote apologetically in his defense. “When the first shot was fired at Sumpter Mr. Haring took the stump and did all in his power to have a Union Candidate elected to the Richmond Convention and raised a Union flag over his house in defiance of Rebel author-

ity. . . . Mr. Haring enlisted October 19th 1861 to fight for the old flag." Mrs. Haring added that her husband was "excitable" and had done things against his captain that she did not approve, but his action "does not constitute a *traitor*." The court was sympathetic to her plea and because of his past service he was sentenced only to six months' imprisonment.

#### *Pvt. Ethan M. Armstrong — 2d U.S. Artillery*

In May 1864, Private Ethan M. Armstrong was found guilty of desertion, a verdict approved and confirmed by Colonel Porter in command at that time of the 2d Separate Brigade, Defenses of Baltimore. The court sentenced Armstrong to two years' imprisonment at Fort Delaware but family friends appealed to President Lincoln. At Lincoln's direction, Adjutant General Joseph Holt reviewed the case. The sentence was confirmed, but because there was no specification as to loss of pay, Holt recommended his pay be sent to his widowed mother instead. Lincoln probably intervened again after Holt's report, for Armstrong was ordered released from Fort McHenry and returned to his regiment. What could have prompted such a reversal from the original verdict? The court's decision was in line with other similar cases, but Lincoln, in reading Holt's summary and the mitigating circumstances, offered a solution that was both fair and showed his compassion for Armstrong's problems.

Armstrong had made a series of very poor choices. He was so unhappy with life in his current regiment that he deserted and joined another. Originally Armstrong had enlisted in the 2d U.S. Artillery's band but quickly found himself in "antipathy with most of the foreign-born band members" who subjected him to "much indignity and ridicule." The bandmaster discovered Armstrong was overly sensitive and "redoubled [his] efforts to "annoy" and "degrade him by confinement." Armstrong was even denied the "opportunity to practice his instrument; excluding him from concerts." Besides being too sensitive for his own good, Armstrong further complicated his life by falling in debt to the sutler and laundress in camp. His pay was stopped, but then the young wife "whom he clandestinely married after he entered the service, and her child, were suffering for food which he could not supply." Enough, surely, to drive anyone to drink. Being, he testified, in a "deep mental depression . . . he got a pass to go to Baltimore for a legitimate purpose . . . entertaining no intention to desert." There, while "being delayed in his attempt to return to the fort, by ice on the river, he went into a restaurant and sat down to wait for a boat. He struck up a conversation with a citizen, who in turn plied him with more drink and convinced him to desert." An idea took shape. Maybe if "he left her, the family of his wife would provide sustenance for her, and he could not." Armstrong deserted, then re-enlisted, then "became sensible of his guilt" and confessed in a letter to the provost-marshal at Fort McHenry. His arrest was based on this confession. The adju-

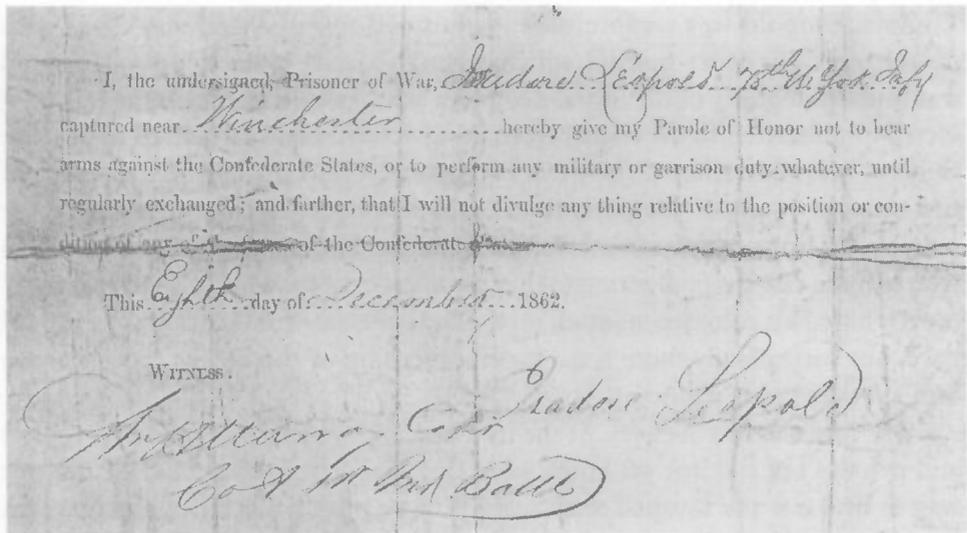
tant general recognized in the young man a “sprightly intellect, of education and culture and a *morbid sensibility*, which in some constitutions becomes a disease,” but the evidence showed he had not deserted for reasons of disloyalty. His letter to the provost-marshal had “asked for leave to stay, [so that] he could render some service to his country.” Armstrong did not come from a disloyal family, either. He had two brothers serving in the U.S. forces in different parts of the country and at home in Kansas a widowed mother. As a result of this investigation, the War Department issued a special order in July 1864, at Lincoln’s direction. Armstrong was released and returned to duty with his company, with the Quartermaster’s Department providing the necessary transportation.<sup>27</sup>

### *Drummer Pvt. Isadore Leopold — 78th New York Volunteers*

Not all cases involving youth and poor choices ended as favorably. Consider Isadore Leopold, who was born in Leeds, England, and arrived in America just before the outbreak of war. He ran away from his home in New York City at fifteen and without the knowledge or consent of his parents enlisted as a drummer boy on January 29, 1862, in Company A, 78th N.Y. Volunteers. In February his mother appealed in person to the regimental commander while the regiment was still organizing in Saltersville, New Jersey. She argued that he should be released on account of his extreme youth and that he had not been given permission to enlist—but her plea was to no avail. Why he was not immediately released is not known.

After the regiment went into the field, we know little of Leopold except that he ended up in the guardhouse twice, the second time for sleeping while on guard duty in July 1862. The offense warranted a regimental court-martial, and charges were brought against him shortly thereafter. A record of his court-martial and its verdict, though, cannot be located in the regiment’s books.

Later in early December, as his regiment was engaged in various skirmishes with Confederate cavalry in the vicinity of Winchester, Virginia, Leopold was sent to fetch water. Laden with his comrades’ canteens, he went off in the direction of a nearby spring but did not return until after the regiment had begun its march back toward Harpers Ferry. Leopold was discovered to be missing that night and, after three days, was marked as “deserted” in the morning books.<sup>28</sup> But just a few days later, Leopold turned up at Harpers Ferry with a Confederate parole slip in his pocket and reported to the local provost-marshal. He was then sent with other paroled prisoners to Baltimore, from whence he would go to Camp Parole, near Annapolis, to await exchange. He got as far as Baltimore, but he had made the mistake of carrying letters from and to known rebels or those with Confederate or “secesh” ties. Provost-Marshal McPhail arrested him in Baltimore on December 22 and imprisoned him at Fort McHenry. In a letter (which was possibly misdated January 1, 1862 [1863]), McPhail informed Major



Parole issued to Private Isadore Leopold, December 8, 1862. (Courtesy, National Archives.)

Blanchard of the 78th New York that Leopold had been arrested while “playing secesh,” and that “he had brought a number of letters from the rebel army and distributed them.”<sup>29</sup> Blanchard testified at Leopold’s trial that he had not believed Leopold’s story of being captured earlier by the rebels. Probably after Blanchard had received this notification from McPhail, he asked Sergeant David Ellis to witness the formal writing of official charges and specifications on December 27 against Leopold—though none had been prepared earlier. A copy of these charges was then sent to Baltimore, where they were received on January 14. At this time, General William H. Morris, commander of Fort McHenry, requested that Leopold be held in the provost cell until further orders. Orders finally came and Leopold was released “and sent to his regiment by the first opportunity.” Had the charges been dropped? Whether he knew of his impending release is not certain. Unfortunately he chose to escape first.

According to court testimony, more than a month after his capture in Baltimore and after being shackled with a ball & chain in an inner cell in Fort McHenry, Leopold, did “while a prisoner awaiting trial<sup>30</sup> for desertion to the enemy . . . desert . . . and secret himself amongst Rebels going south for exchange.” Then, after arriving at Fortress Monroe under the guise of different aliases, “did . . . secret himself on board the Flag of Truce steamer *New York* . . . to City Point, Va for the purpose of deserting to the enemy.”<sup>31</sup> Had he really naively thought this steamer would take him home to New York?

These and other questions may not be answered, including how he escaped from Fort McHenry. (He would have known that a five-dollar bribe was sufficient to have a guard look the other way.)<sup>32</sup> After getting as far as City Point,

Virginia, Leopold was recaptured and returned to Fort McHenry—but with new charges. His court-martial, which began in March, lasted five days. Leopold was found not guilty of the initial desertion charges, but, ironically, he was convicted for desertion to the enemy from Fort McHenry and sentenced to be shot. General Morris examined the proceedings and found that “in consequence of the extreme youth of the prisoner . . . recommended a commutation of the sentence to imprisonment with forfeiture of pay during the war,” and he then referred “the case for final action to the commander of the Middle Department.”<sup>33</sup> Morris based his recommendation on the facts presented at the trial, as he should have, but surprisingly there is no further mention of the earlier order to have him released to his regiment.

The case was not over yet. At the trial Leopold would have heard the verdict and penalty but did not yet know what the final action would be. He did not wait to find out and escaped once again. Any possibility that the penalty might have been reduced disappeared after he escaped. Consequently General Robert Schenck, commanding the Middle Department, ordered that “in the event of his recapture, the sentence would be hereafter carried into execution and that the said Isadore Leopold . . . [would] be shot to death with musketry.”<sup>34</sup> Leopold effectively disappeared—possibly to friends in Petersburg, or to New York, or . . . ? Mysteriously, his name would come up again, this time as an alias used by a Marylander, the notorious rebel-spy, Andrew I. Laypole. Laypole would be tried in 1864, also by the 8th New York.

### Cases involving Citizens or Rebels

Unlike cases before general courts-martial, those brought before a military commission comprised two groups—citizens charged as spies and political prisoners, and Confederate soldiers who were considered “rebel-spies.” Those in the latter group represented a major point of contention between the agents for exchange, Colonel William H. Ludlow and Robert Ould, C.S.A.—each side desiring that officers be returned as a part of a parole exchange. When charges were brought against Confederate soldiers, Ould was quick to express his concern about their treatment.

#### *Capt. Andrew Laypole, alias ‘Isadore Leopold’ — C.S.A. & Spy*

Federal authorities were probably ecstatic in May 1863, when they captured one of the most notorious rebels in Shepherdstown, western Virginia. A Marylander from Sharpsburg, Andrew Laypole had been a member of Company F, 1st Virginia Cavalry. He had also roamed at large with a band known as “Burkes Brigands,” who were also associated with the company. Since the previous November, they had been responsible for terrorizing, shooting and murdering in-

nocent citizens in the vicinity of Shepherdstown and in other small communities on the Union side of the Potomac in Maryland. Although Laypole's trial before a military commission was not set to begin until December, he drew attention in August while imprisoned in Fort McHenry. Serving for the first time as officer for the guard, Captain Baker remarked, "A. F. Laypole, . . . is a guerilla chief and is a hard looking customer for a young man and is despised by his fellow prisoners as being a man without any principle and one who would sell the life of his best friend for a few cents. . . . But with the exception of Laypole they [seven other prisoners accused of spying] are well educated and highly bred men, who have been brought up in the best society of the south."<sup>35</sup> Evidence presented at his trial would confirm the terror Laypole created for the innocent citizens of Virginia and Maryland. While incarcerated at Fort McHenry, Laypole for some reason occasionally used his alias, "Isadore Leopold." Why he assumed this alias is not known, but the similarity in spelling and pronunciation of both names (by nineteenth-century standards) is puzzling.

According to Confederate records he enlisted as Andrew I. Leopold in Company F of the 1st Virginia Cavalry, C.S.A. on April 20 or 21, 1861, at Shepherdstown, Virginia, and was present with the unit through April 1862. From May to August 1862 his whereabouts are unaccounted for, but he reappeared again as A. I. Leopole/Leopold in Company D, 12th Virginia Cavalry in September, with special duty with General J. E. B. Stuart near Charlestown, Virginia. In October he continued on detached duty with Stuart, and by November "A. I. Lapole" is listed as ordinance sergeant of Company D. He was taken prisoner, according to these records, on November 28 near Shepherdstown. Company F, of which he was formerly a member, had skirmishes with Union troops under General John W. Geary in the vicinity of Berryville near the end of November.<sup>36</sup> (Coincidentally, Isadore Leopold would have been a part of this division prior to his capture.)

Thus, Laypole was familiar with the western part of Maryland and the towns around Shepherdstown and they with him, for he was often recognized and known to his victims. According to testimony in his trial, Laypole had joined up with the "Brigand Burke," Captain Redmond Burke of Company F, 1st Virginia Cavalry. Burke also had two sons in the same company. On November 24, 1862, Captain Burke was killed in a skirmish. Matthew P. Burke, one of his two sons also serving in the company, Laypole, and a number of others were captured. The younger Burke and Laypole were sent to Fort McHenry, only to be paroled shortly thereafter and sent back to Richmond. The federals would, no doubt, wish later that they had never released him.

The second opportunity to arrest him came in April 1863. This time, Laypole, together with various Burkes with whom he was still keeping company, was caught near Berryville on April 22. Three days later, while being held by General Robert H. Milroy in Winchester, Virginia, he wrote to General Schenck in Balti-

more. Milroy prefaced Laypole's report with the following comment: "Rebel [Andrew T.] Leopole, the last two days in irons, hoping for leniency, makes this statement." After detailing his military service in the Army of Northern Virginia, Laypole, doubtless in an effort to save his skin, told Schenck that the Confederates intended to take Winchester as soon as the Shenandoah receded. "I am tired of fighting, and wish to take the oath of allegiance and retire to Ohio," he concluded.<sup>37</sup>

Besides going by the name of "Leopole," while in Winchester, Laypole also used the alias "Isadore Leopold." Regardless of name, the question remained of what would become of Laypole now that he was in federal custody. In a telegram to Schenck on April 26, Milroy asked whether "Leopold" should be turned over to civil authorities in Maryland. Although no direct answer from Schenck has been located, Milroy received on the same day a letter from assistant adjutant-general W. H. Chesebrough of the Middle Department congratulating him for capturing "the guerilla chief Leopold." Although Matthew P. Burke was paroled again, Laypole was sent immediately back to Fort McHenry, where he was confined for good on May 4. There, his reputation grew. According to the fort's prison register, "Laypole, Isadore alias Andrew," a "Prisoner of War, Spy — Guerilla and Bushwacker" was to be confined in irons "and not allowed any communication with anyone. He is a desperate man and a Guerilla Chief and a Spy and a Murderer of the blackest order."<sup>38</sup>

When Laypole was finally brought into court in early December 1863, the first two charges for spying and violating an Act of Congress were dropped at the commencement of the trial. The remaining charges, which included violating the laws of war and murder, would, it was hoped, be sufficient to convict him. The trial lasted a little over a month. Before the defense rested, sometime about January 11, Laypole had written a thirty-five page defense, which his counsel read to the commission. After hearing Laypole's account, Judge Advocate Baldwin, of the 8th New York Heavy Artillery, requested a few days to complete his response. In his final statement before the commission adjourned to "maturely consider" the evidence Baldwin thundered, "This man is guilty of these crimes. . . . Our government owes something to the protection of those noble men and women of the 'border,' who have proved their fealty to the 'old flag' and who have been hunted like wild beasts from their homes. . . . Let these persecuted people see that the strong arm of the government is *on all occasions* swift and sure for their protections and all will be well."<sup>39</sup>

The commission found Laypole guilty on all charges and specifications. His case summary and judgement then passed to Judge Adjutant General Holt and from him to President Lincoln. No doubt, it took Holt a while to wade through the nearly two hundred pages of court testimony and legal exhibits. If Holt worried about Lincoln's leniency, his summary of events around Shepherdstown left nothing to chance. Laypole, he wrote, was "a brutal assassin,"

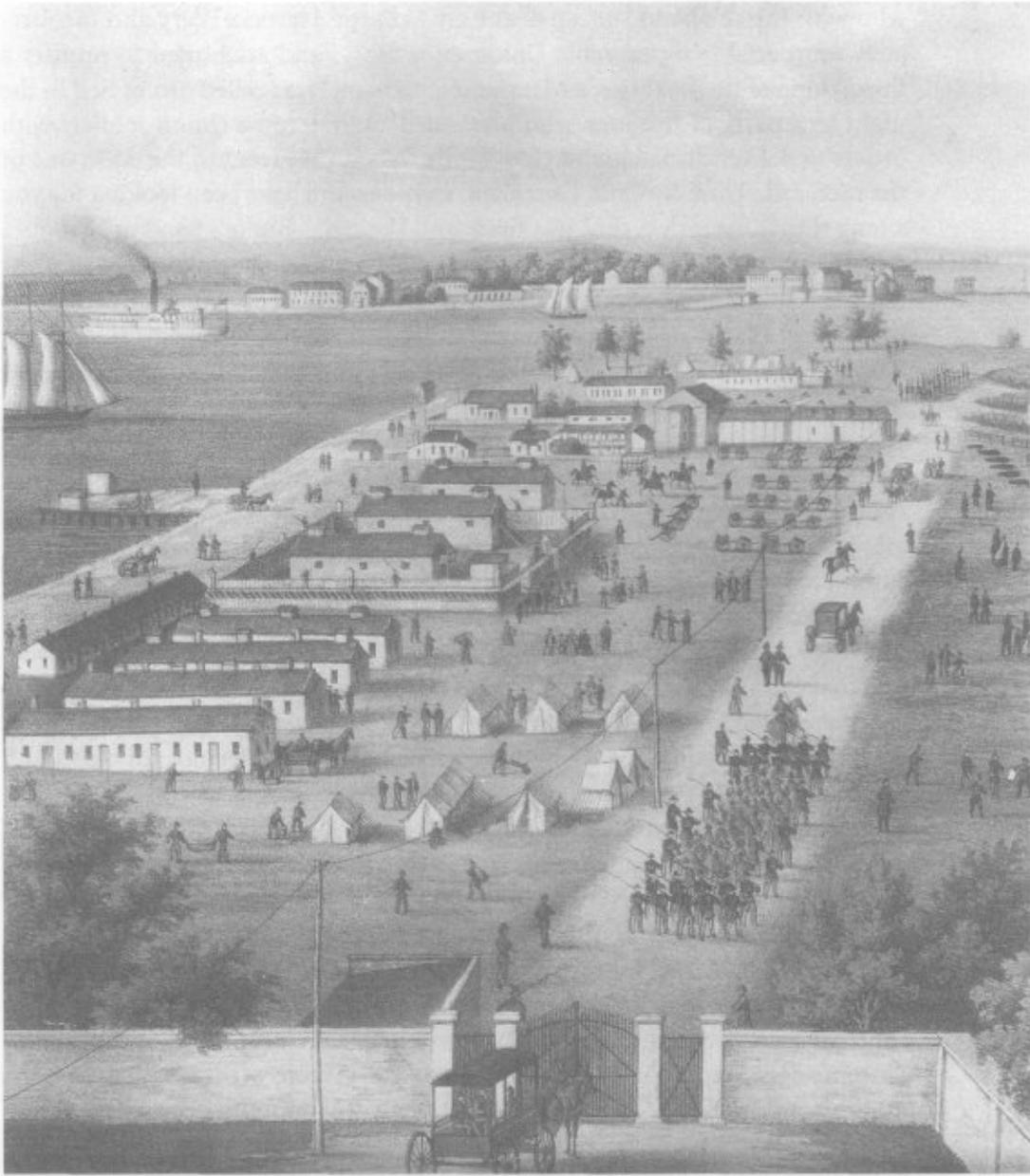
who with Burke's band "infested" the area around Harpers Ferry and "deliberately murdered two peaceable Union citizens . . . and attempted to murder a third." One of the fatalities, a Maryland ferryman, "was called out of bed in the night by a party of five men who pretended, at first, to be Union soldiers with orders to deliver dispatches to Genl Kenly. When [he] went to the door, one of the men called out 'By God, I am Capt. Laypole, and have been looking for you a long time.' Instantly a shot was fired, and [he] fell." Burke's band or "gang . . . are also proved to have been horsethieves: and to have been engaged in wantonly firing into the houses of citizens in the vicinity of Shepherdstown, Maryland, from places of concealment and security on the opposite side of the Potomac at that point." It did not matter that Laypole had been a Confederate soldier. "It is a well settled rule that a prisoner of war remains answerable for a crime against the captors army, or people, committed before he was captured, and for which he has not been punished by his own authorities." Laypole, Holt concluded, "formerly lived among the people whom he robbed and murdered, and justice, and the security of society, demand that such atrocities should be summarily, and adequately punished."<sup>40</sup>

Lincoln approved Laypole's sentence, and he subsequently marched to Fort McHenry's gallows on May 23, 1864. Before he was executed he purportedly said that "he appeared on the scaffold as a felon, but there was One that knew he was not of that character," and that he "freely forgave all having to do with his death." He asked only that his body be turned over to his friends for disposal.<sup>41</sup>

#### *Capt. William F. Gordon, C.S.A.—Spy*

A case quite different from Laypole's was that of Captain William F. Gordon of the 33d Virginia Cavalry. Gordon was charged with a myriad of offenses: for being a spy, for lurking about posts and quarters, and for recruiting within the lines of U.S. forces in western Virginia—all about mid-April 1863. Although found not guilty of spying, he was convicted of recruiting and sentenced to be shot. General Schenck passed on his recommendation in November 1863 for Lincoln's signature.<sup>42</sup> Lincoln, though, indicated on his copy of the case that Gordon's punishment should be "commuted to confinement at hard labor during the war."<sup>43</sup>

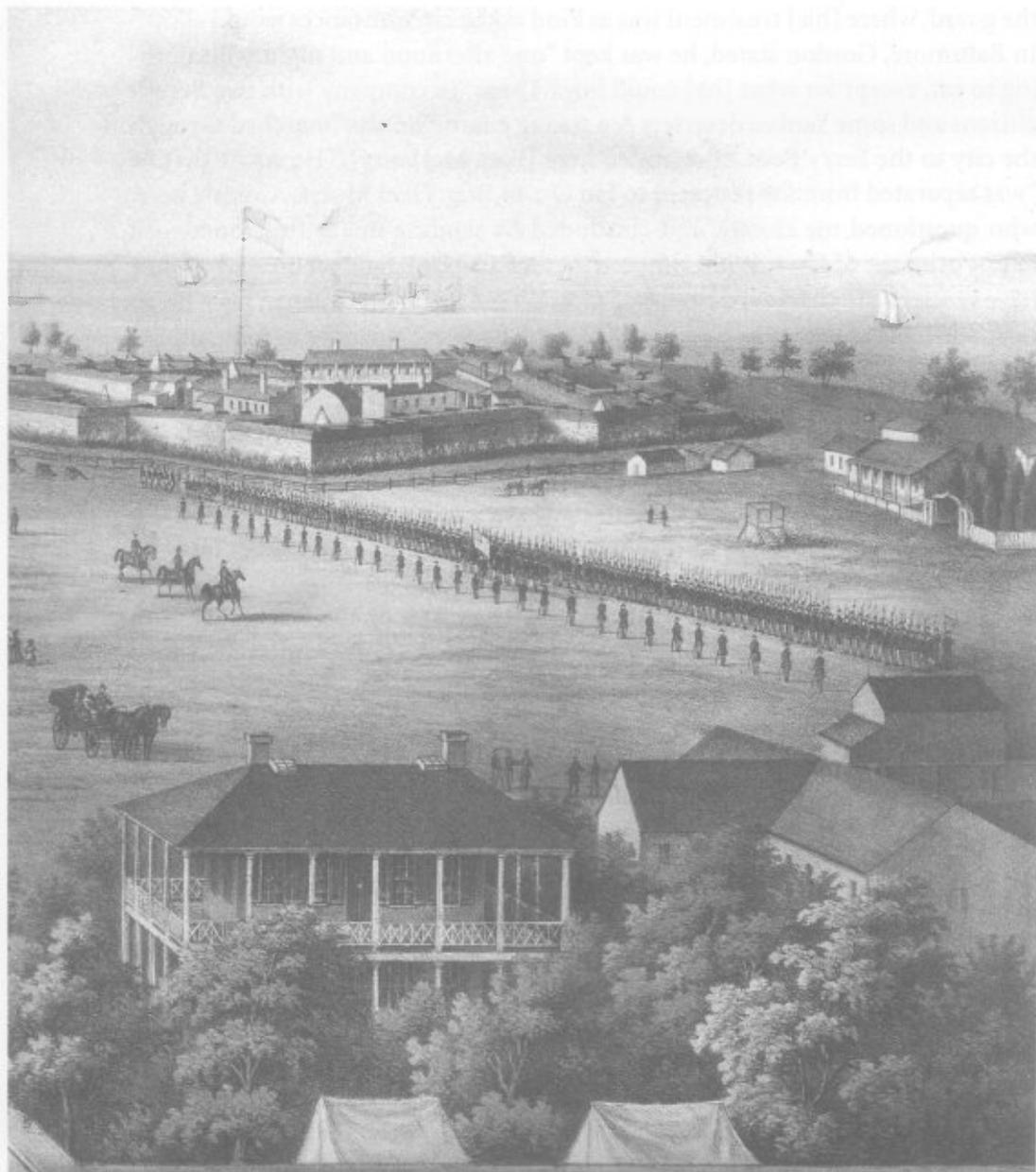
The colorful Gordon, versed in the spy's tools of code and disguise, had been difficult to capture. In court proceedings he noted his pleasure at having eluded federal cavalry "when he went to milk the cows." Wearing his "wife's clothes and bonnet" had saved him then, but his luck did not hold. Having heard that Gordon was in the neighborhood of Clarkesburgh, Virginia, the federals made a second search of the house he shared with his wife and mother-in-law and this time found him beneath a trap door in the floor over which a carpet had been laid. He had in his possession a muster roll with no names on it. Gordon stated he had names on another piece of paper but did not want the



*Union authorities sent captured Confederate soldiers and civilians suspected of secessionist activity to*

names to be found on the official roll lest the individuals then be caught. He was immediately transported to Harpers Ferry and then on to Baltimore. A few days later his commanding officer, Major Thomas D. Armesy, and a Lieutenant Daniel Davis, were also arrested. They soon joined him at Fort McHenry.<sup>44</sup>

Letters Gordon wrote to his wife while incarcerated at Fort McHenry add to



*Fort M'Henry. (E. Sachse & Company, 1865, Maryland Historical Society.)*

our knowledge of the other prisoners and of conditions in the prison. Captain Gordon, an officer, felt he deserved special consideration as a prisoner. While in custody at Harpers Ferry, Gordon expressed gratitude to his keeper, who had “saved him from going into the common receptacle of drunken soldiers, plug-uglies, deserters, thieves, &c.” He was instead “allowed to be a prisoner among

the guard, where [his] treatment was as kind as the circumstances would allow." In Baltimore, Gordon stated, he was kept "one afternoon and night with nothing to eat, except for what [he] could buy." Then, "in company with two Secesh citizens and some Yankee deserters & a strong guard," he was "marched through the city to the Ferry Boat, and landed here [Fort McHenry]." He wrote that he "was separated from the rest, sent to Hd Qrs to Brig. Genl Morris, Comdg here, who questioned me closely, and concluded by sending me to this room — a fellow prisoner of Capt. Will Compton, from Fairmont. Against both of us they have brought the charges of 'Spy', &c." Gordon did not want to alarm his wife, so he made light of events by adding: "They will keep me prisoner as long as possible — anyhow, so long as they think I am being *punished*. But if they judge from our gaiety — laughing & eating the good things sent us — dancing, singing, whistling, looking at the ladies: (through our bars) &c, &c. — if they judge from our conduct it is slight punishment." Though guards did not allow them to see visitors "except through the bars," and the small cell left "not much room for promenading," he was "as comfortable as prison life will allow." "Bah!" he concluded, "this is nothing."<sup>45</sup>

On June 24, 1863, Gordon wrote another letter, this one to Robert Johnson of Richmond, which federal authorities apprehended. In it, Gordon described events in Baltimore immediately preceding the battle of Gettysburg.

My facilities for obtaining news of passing events are few and the *truth* so much suppressed, that I cannot give much information. Since the Confederates made their appearance in Md & Penna all has been "tumultuous, wilde excitement" hereabouts. Baltimore has been environed with rifle pits and breastworks; — the streets barricaded with tobacco hogsheads & drays; the city placed under martial law; — the citizens, white & black, pressed into working details on "the defenses." Troops (*raw Militia*) are constantly pouring into the city from the North & East — in short, everything betokens the wildest fear — *and fear of capture*. I presume, from what I can gather, there are now about 10,000 troops in and around Baltimo, of which 8,000 are raw troops — an undisciplined mob, forced into service to protect the State they have learned to believe *half* Southern at least.

Gordon believed that military commissions were predisposed to convict spies. Officers "have received private instructions to so interpret military law as to convict every man found within their lines, belonging to the Conf. States of being a spy." Union soldiers, he declared, were dissatisfied with their lot, particularly in fighting to free the slaves. "Among the men, I have found much *open* denunciation, of the Government and its *wooly* cause." He believed that some of

those arrested would have their trials prolonged “from week to week until the cartel is arranged, and then we will be quietly exchanged.” Meanwhile, they were being “punished — and that *severely*” by being held in “Close confinement in a criminal’s cell, and with no more than a criminal’s liberties! We were entitled to an exchange at the time of our capture. . . . Cannot our Government at Richmond remedy this evil in our case & prevent its repetition in other cases hereafter?” These sentiments Gordon did not reveal to his wife. He implored her, instead, to be optimistic, “as it is *our* duty — always to look on the bright side of everything, be always cheerful, never sad & desponding.”<sup>46</sup>

Gordon was still incarcerated in November when he spoke with the 8th New York’s Lieutenant Marshall Cook about the duration of the war. Cook reported his lengthy conversation with “Capt Gordan . . . the most rabid, ultra Reb you ever saw” in a letter to his brother, Irving, on the twenty-seventh. Cook remarked that Confederate chances were “about used up” and that “three months more . . . will finish the thing.” Gordon admitted that “a few more such defeats & we are whipped” but wondered whether it was “possible that six million people in rebellion against the government are going to be whipped?” When Cook assured him it was indeed possible and probably likely, Gordon replied that if his cause failed “I’m for making up friends with the north go down & whip *France* out of *Mexico*.” Finally, in February 1864, Lincoln commuted Gordon’s sentence to “confinement at hard labor during the war.” In April of that year he was moved from Fort McHenry to Fort Delaware for the duration but was released prior to March 20, 1865.<sup>47</sup>

### *William Boyd Compton — Citizen & Spy*

Another military commission began in May 1863 against West Virginian William Boyd Compton, whom federal authorities considered as great a threat to the Union cause as Laypole and Gordon. Compton was related to the notorious rebel spy, Belle Boyd, his cousin on his mother’s side, who had been operating along with numerous other members of the family in western Virginia gathering and conveying intelligence to Richmond. Compton’s capture caused great celebration in Washington, for if he were convicted of spying and executed, military authorities might make a dramatic example of him. The serious charges they brought against him generated substantial correspondence, the bulk of which was entered as evidence in the trial and is contained in the records. Additional letters are in Lincoln’s papers.

Shortly after the war began, Compton had joined the 31st Regiment of Virginia Militia. His role in Confederate service was never particularly clear, but he was variously considered a clerk to the quartermaster or a member of General Richard S. Garnett’s staff. Compton was captured, then paroled on February 7, 1862. When captured a second time, he was less fortunate. He had broken the

terms of his first parole by recruiting men for the Confederate army and terrorizing B&O Railroad depots in western Maryland. Additionally, the Confederates had not exchanged a Union officer at his time of parole.

The federals felt they had a substantial case against him and charged Compton with spying: "lurking about the posts, quarters, and encampments . . . of the Army of the United States, stationed in Western Virginia." They also charged him with corresponding and giving intelligence to the Confederate army, and finally with violating his parole. Compton was imprisoned at Fort McHenry where he made an impression on some officers in the 8th New York.

Captain Baker, who was a member of the court, visited Compton several times in his cell. Baker complimented Compton's abilities and also reported that in appearance Compton was "a small fellow and quite young, but is said to be very smart." Baker added that Compton, who had practiced law before the war, "defended himself better than any lawyer has yet defended others."<sup>48</sup> Despite the efforts of Compton and his counsel, the court found him guilty. Two-thirds concurred that Compton should be executed by hanging, and set the date of his execution at May 27, 1863. The case was soon appealed to Lincoln.

Letters written on Compton's behalf reveal the emotional stress inflicted on the families of the accused. Compton's family, like so many others in this region of western Virginia, had mixed allegiances but attempted to appear pro-Union and hoped appeals would help their son's case. His father, William J. Compton of Fairmont, West Virginia, petitioned Lincoln for clemency and appealed as "a friend" for the sentence to be commuted. He wished Lincoln "success in conquering this rebellion."<sup>49</sup>

Following the receipt of the senior Compton's letter, Lincoln requested on May 23 that Judge Advocate Holt send him the records of Compton's trial.<sup>50</sup> Shortly thereafter, Lincoln received another letter; this one was from one of the Compton's more influential friends and former neighbor, Mrs. Francis H. Pierpoint, whose husband had been elected the Unionist Governor of Virginia and was "an honest, amiable Union man."<sup>51</sup> Mrs. Pierpoint relayed to Lincoln the pleas of Compton's mother, who "asks me to beg that you will change his punishment to imprisonment." Compton was, she related, but the innocent dupe of a lawyer with whom he studied, "who safely ensconced behind the fortifications of Richmond, found it very convenient to send forward the ambitious & daring youth to pioneer the way for his return home." The young man was vulnerable in another way. "Love too beckoned him forward, & thus urged on by the two most powerful passions of the human kind ambition & love, he took the step which has brought so much suffering to his friends." Mrs. Pierpoint appealed to Lincoln, the parent. "I cannot refuse this *Father's* & *Mother's* request. You are a father, & can appreciate the feelings which actuate me. Willie is talented, educated and refined. I would gladly know of some *legal* reason which

would justify me in asking you to use the pardoning power, but I do not. Can his sentence be changed to imprisonment? I know he deserves that." At the very least, she asked, "If he must suffer the *extreme* penalty, will you not give him more *time for repentance*. This I do earnestly request. The thought that his immortal soul must be so suddenly sent before his Maker, without preparation, seems to be the crushing weight which is breaking his parents' hearts." The letter may have saved Compton. He was within four hours of his execution when it was abruptly suspended.

The warrant for Compton's execution had been received in Washington, but on May 26 Lincoln was away and could neither approve nor commute the sentence of execution. In his absence, Secretary of War Stanton could sign the death warrant, but for some unknown reason he passed the responsibility to his assistant, Charles A. Dana. Dana was now confronted with a difficult decision. Whereas he had watched Lincoln closely in the past and observed, "a thing it seemed as if he could not do was to sign a death warrant," he was confronted by General Augur commanding the forces around Washington, D.C., who especially wanted to make an example of this spy. Augur wanted Compton executed because he was "a spy caught cold, tried by court martial, convicted on evidence beyond reasonable doubt, [and] sentenced to death." Augur was reported to have stated: "Here is the warrant for his execution, fixed for tomorrow morning at six o'clock. The President is away. If he were here, the man certainly would not be executed. He isn't here. I think it very essential to the service and safety of everything that an example should be made of this spy. The punishment which every nation assigns to them should be inflicted on at least one of these wretches. Do you know whether the President will be back before morning?"<sup>52</sup>

Dana acquiesced and signed the death order. Compton would face the firing squad the next morning. But mid-morning on the twenty-seventh when Dana met Augur and inquired about the execution, Augur reported that Lincoln had "got home at two o'clock this morning and he stopped it all."<sup>53</sup> Upon his return, Lincoln probably read the letter from Mrs. Pierpoint. He then ordered General Schenck to keep Compton in prison.<sup>54</sup>

No response has been found to Lincoln's order, but the suspension was confirmed in a June 1 letter from Commissary-General of Prisoners William Hoffman to Agent of Exchange Colonel William H. Ludlow. In response to this good news, the Confederate Agent of Exchange, Robert Ould, wrote Ludlow expressing his gratitude. "Nothing is nearer to my heart than to prevent on either side a resort to retaliation."<sup>55</sup>

Compton's status continued to trouble Ould. On July 18, Ould wrote to Ludlow, "It is represented to me that Capt. Compton is confined in a dark cell, 4 by 10 feet, and manacled, and that his health is becoming so much affected by his confinement that a few weeks more will suffice to cause his death. Will you

*Exhibit 1*  
 Men of Old Frederick, Arise,  
 Defend Your Homes  
  
 Under the authority of the Confederate Government  
 I am now engaged in raising a Company of Infantry,  
 The great Army of the South, unconquered and  
 unconquerable is now in your midst, and has determined  
 that Maryland shall be free, What say you Marylanders?  
 Are you willing to fight for the liberties for which you have so  
 long been clamorous, or are you so abject as to accept them  
 as a boon at the hands of others? No, No! Sons of Maryland —  
 inheritors of her Revolutionary glory — by your own right  
 arm achieve the independance of your own State,  
 Falter not, hesitate not, now that the opportunity is  
 offered you — but rally at once and vindicate your  
 history,  
 Recruiting office Next door to the Provost  
 Marshall's, where there will always be found an  
 officer in attendance,  
 Sept 9, 1862  
 John W. Heard  
 True Copy taken 23<sup>rd</sup> 1863

In September 1862, Frederick Herald editor John W. Heard posted this recruiting notice next to the U.S. provost-marshal's office in Frederick. It later became evidence at his trial. (Maryland Historical Society.)

inform me whether this is so, and also what is proposed to do with him?"<sup>56</sup>

To reassure Ould, Hoffman inquired into the status of various prisoners and reported on August 1 that Compton was in confinement at Fort McHenry but gave no details as to his condition.<sup>57</sup> Federal authorities must still have

planned to execute Compton, because Captain Baker offhandedly reported as late as August 1863 that “his gallows [was] erected in the Fort.”<sup>58</sup> The gallows remained in place until the next May when they were used instead to execute Andrew Laypole (Leopold).

Compton himself became desperate enough to flee. According to the diary of a fellow cellmate, Compton and four other officers escaped on the stormy night of May 15, 1864. The prison register for Fort McHenry reported the escape was the result of “negligence of the Officer of the Guard.”<sup>59</sup> Compton was never recaptured although he resumed his military activities until the end of the war. Following the war he married and set himself up in legal practice in Harrisonburg, Virginia. President Andrew Johnson later granted him a full pardon.<sup>60</sup>

### *John W. Heard — Citizen of Maryland & Political Prisoner*

Federal authorities were always eager to silence citizens too outspoken in their “secesh” sentiments and to arrest those who directly aided and abetted the enemy. One so accused was John W. Heard of Frederick, Maryland, former editor of the *Frederick Herald*, which federal authorities had confiscated earlier. In September 1862, during the days prior to the battles of South Mountain and Antietam, when Confederates camped in and around Frederick, Heard took advantage of the federals’ temporary absence. On their return they found his Confederate recruiting notices posted about town. Even more galling to the authorities was the Confederate recruiting office he had opened next to the provost-marshal’s office. One of his bills called upon the men of Maryland to “Falter not, hesitate not, now that the opportunity is offered you — but rally once at once and vindicate your history” by joining the Confederate cause. Shortly thereafter, Heard received from Robert E. Lee an order directing “Capt Heard’s Company of Marylanders” to join the 8th Virginia.<sup>61</sup> Caught with these papers in hand, Heard was charged with recruiting for the Confederacy and conveying troops to the Confederate army. A military commission convened at Fort McHenry on June 15 presided over by Colonel Peter Porter.<sup>62</sup>

Having already suffered the loss of his newspaper, Heard wisely acquired legal counsel, William Meade Addison of Baltimore, to assist in his defense.<sup>63</sup> Heard’s first objection was to the rationale for a military commission instead of a court-martial, an unsuccessful tactic. The court responded logically, that since the offenses of which Heard was being charged were not “recognized by the Articles of War,” a court-martial could not be empowered to try the case, whereas a military commission could. Finally, after testimony in the case was completed and before the defense rested, Heard used his editorial skills to print a written defense for the commission to consider. With the aid of counsel he argued that the charges against him could not be sustained as written because the “specifications were broader than the charge.” The defense also sought to show that the

prosecution had no jurisdiction, citing the earlier William F. Gordon case; that military law did not exist over the region where the offense was committed; and that cases cited as precedents by the commission could not be so regarded.<sup>64</sup> Heard's counsel argued the case successfully, and the commission was forced to acquit Heard of the charges. Despite the verdict, he was not set free but held as a prisoner-of-war and sent to the prison camp at Johnson Island.

*John H. Maynadier — C.S.A. & Spy*

A month after the Heard trial began another trial convened in Baltimore. A Marylander, "now or late of the Rebel Army," John Maynadier [Manaydier], was charged as a spy. He was found guilty, but unusually, the death sentence was pronounced with reservations by the commission. Consequently, it was necessary to obtain additional evidence to see if the sentence could be commuted. Even more unusual, this evidence had to be obtained from the enemy—from depositions given by Confederates in order to change the final sentence.<sup>65</sup>

In this case, defense counsel seems to have offered no written defense to the commission. Perhaps Maynadier did not have the means to pay for a lawyer. On the other hand, unlike the cases of some other prisoners charged with similar offences and tried by military commission, the evidence was perhaps not as complete as it should have been.

The army charged that Maynadier "did deliberately, wilfully, and secretly, in the dress and garb of a citizen, and not in the uniform of a soldier, as a spy," enter Union lines "at the County of Hancock, in the State of Maryland" and "did secretly and covertly obtain, collect, and husband information and knowledge of the army and authorities of the . . . United States, for the purpose and with the intent to communicate, transmit, and convey the same to the army and authorities of the . . . so-called confederate States." Maynadier was further "found lurking and acting as a spy, in and about the posts, quarters, and encampments of the army of the United States in the States of Maryland and Virginia, and especially . . . at or near St. John's Run, in the State of Virginia."<sup>66</sup>

The commission found Maynadier guilty on both counts "except the words, 'at the County of Hancock, in the State of Maryland,'" there being no such county in Maryland, and sentenced him to be hanged. The commission then recommended mercy on the grounds that "the prisoner's family lived within our lines, and that he visited it" and that "although dressed in citizens clothes, he was in a costume worn by many soldiers of the Rebel army." The commission was not convinced Maynadier was *not* a spy, but the circumstances of the case "influence their judgement of the motives and manner of his coming into our lines as to induce us to ask such mitigation or commutation, as will render his punishment only less severe than *Death*."<sup>67</sup>

A few days later, Maynadier nevertheless was sentenced to be "kept in irons,

and in strict custody in solitary confinement” until his execution, set for Friday, November 20 pending presidential approval.<sup>68</sup> The case files would have been sent on to Holt, who in turn would have referred them to Lincoln on November 18. There is no information in Maynadier’s file mentioning a postponement of the execution, but Lincoln wrote to Schenck on November 20 expressing his wish “that neither Maynadier, nor Gordon, be executed without further order.”<sup>69</sup> News of the pending execution, though, had reached the South. Ould sent an urgent letter to the agent of exchange, General S. A. Meredith at Fortress Monroe on November 28, 1863, informing him that “There may be circumstances suspicious in his case which a full knowledge of all the facts would entirely remove.” Ould assured Meredith that “Maynadier was no spy” and asked time to introduce new evidence.<sup>70</sup>

In response to this request, Secretary of War Stanton postponed the execution for thirty days “to allow an opportunity to the Rebel authorities to produce evidence that he [Maynadier] was not a spy.” Stanton then replied to Ould, in Richmond, informing him of this suspension requesting the appropriate evidence.

Ould consequently sent two affidavits to Washington on December 28 from members of the 1st Virginia Cavalry, to which Maynadier belonged.<sup>71</sup> Three members of Company K, Murray Maynadier [possibly related?], George Small, and Wilmer Purnell, stated that they “with about twenty-five other members . . . including John H. Maynadier were ordered by Brig. Gen. Fitzhugh Lee on detached scouting service in Northern Virginia . . . under the command of the captain of the company.” Purnell, the main deponent elaborated:

The company . . . after being on this service some few weeks . . . was ordered by the captain to separate and scout the country for the purpose of making captures, etc.; that after scouting for a time unsuccessfully, he and John H. Maynadier, being from Maryland and having relatives there, determined, of their own accord and without authority or any *other design*, to visit their homes get horses, &c., and return to their command; that they did visit their homes and procure horses, and were returning, when on the sixth of June they mistook their road and undesignedly, entered the lines of a Federal camp in Morgan County, Va., and not being allowed to pass out were sent to the provost-marshal at the camp; that on being questioned by the provost-marshal they at first *untruthfully* represented themselves to be citizens of Washington County, Md and made other *false* representations; that after being told they were prisoners, they, the deponent and Maynadier were separated for further examination.<sup>72</sup>

Purnell further explained their clothing, which was crucial in this appeal.

When caught they both “were dressed in citizen’s clothes, but Maynadier’s clothes were of the same description as those which he had worn before in the service, having joined the Confederate Army more recently than deponent, and never having been supplied with army clothing.” Although Purnell himself wore citizen’s clothing “in order to pass unsuspected,” neither he nor Maynadier “ever had the remotest idea or design of acting the part of a spy, although the circumstance of their having been captured in a Federal Camp dressed in citizen’s clothes, unexplained, might seem otherwise.”<sup>73</sup>

This naturally aroused Union suspicions, and it appeared as though the deponents’ testimony would be dismissed, but after reviewing these materials, Holt agreed to the commission’s recommendation for leniency. The next day, the following comment appeared on the documents from the case: “Let the punishment of death in the case be commuted to imprisonment during the present war. A. Lincoln. January 7, 1864.” Maynadier spent the rest of the war in prison at Fort Delaware. When hostilities ceased, he anxiously wrote to his “Dear Uncle,” William Maynadier, a colonel in the Union army, suggesting it was time he be released. “Prisoners are being released from here every day upon taking the oath of allegiance, by orders from the War Department, through the instrument [?] of their friends. . . . I think, if you would bring my case to the notice of the department, I might be immediately released upon taking the oath of allegiance, which [I] am not only willing but anxious to do.” Colonel Maynadier promptly wrote to Stanton, who forwarded an order for the former Confederate’s release.<sup>74</sup>

### *Samuel Sterret — Citizen of Baltimore & Political Prisoner of War*

Samuel Sterret was, according to his counsel, Charles J. M. Gwinn, a clerk in a counting room, albeit one with “no more knowledge or intelligence on such [military] subjects than the average of clerks similarly situated.” He was also “a very young man,” related to John S. Gittings, prominent citizen of Baltimore, and engaged to “a very excellent young lady” who worried extensively about his imprisonment at Fort McHenry.<sup>75</sup> General Robert Schenck himself had confronted Sterret in Schenck’s private offices and charged him with violating the fifty-seventh Article of War, that which prohibited correspondence with the enemy, particularly with the intent of passing military information. How had Sterret managed to get himself into trouble?

Sterret had written a letter to his father, Samuel Isaacs Sterret, a commodore in the Confederate navy. This letter was to be smuggled south for the going fee of three dollars sometime during February 1863. Unfortunately, a detective working for Colonel William Stebbins Fish, the provost-marshal in Baltimore seized it first, along with its carrier. The detective reported at Sterret’s trial that he had waited at the White House Tavern in Leonardstown, Maryland, watching for potential blockade runners. There he had struck up a conversation with

General Robert C. Schenck, an Ohio politician, commanded the Middle Department, including Baltimore, with more severity than his predecessors. (Maryland Historical Society.)



one suspect, who eventually revealed to him the location of a cache of letters, all bearing return addresses from Baltimore. The detective turned the letters over to Fish who then had Sterret arrested at his mother's house in Baltimore. Interrogated by General Schenck, who held the incriminating letter before him, Sterret admitted to being the author. Schenck then sent him to Fort McHenry, where he was "to be placed in close confinement, to have no intercourse or communications with any person whatsoever."<sup>76</sup>

Sterret's case was far from unique. Numerous other "secesh" in Maryland had been arrested and confined on such charges. Schenck had warned Baltimore in an address delivered in December 1862 that he would not tolerate "any sympathy with treason" or "any acts of disloyalty" which would be considered "a double treason," and Marylanders quickly began to view him as a much tougher enforcer than his predecessor, General John E. Wool.<sup>77</sup> Schenck instructed military provost-marshals to "actively and vigilantly, co-operate in preserving the peace and order of the City" and to "take charge of all political prisoners, arrested or confined." The provost-marshal's detectives were also responsible for surveillance and even may have been alerted to watch the Sterret house, especially since the head of the household had gone south into Confederate service. Evidence strongly suggests that Mrs. Sterret used underground communications with the South.<sup>78</sup>

Blockade running was common in Baltimore, a major port, and detectives

routinely sought out contraband goods and letters of “disloyal correspondence.”<sup>79</sup> Confiscated items that could be sold, were, and the profits went to the federal government, with cuts for the port authority or others, some of which were legal, some not. Citizens under suspicion could have their homes searched at any time, although properly approved charges had to be written out first. Any citizen found trafficking in contraband was also guilty of aiding the enemy and was promptly confined in the provost jail. Most suspects of this nature were imprisoned in Fort McHenry in Baltimore pending trial, although an effort was made to separate them from federal prisoners also held there. No appeal was possible, though those with convenient connections and political savvy might broker a more lenient sentence.

Sterret not only wrote an illegal letter but committed the additional sin of including some damning information, perhaps out of naiveté or in the spirit of a youth caught up in the excitement of the rebellion. He briefly told his father that his mother was indisposed with a bad cold and inquired as to his health, then spent the greater part of the letter outlining naval strategies. His counsel referred to it later as an example of “an off-hand foolish suggestion, made at a moment when he heard there was an opportunity of writing his father.” The lawyer was right. “I hope most heartily that Dupont will [be] badly whipped at Charleston,” Sterret wrote his father. “Apart from the great moral effect that a decided defeat to the Federals would have upon the Northern people who now place their whole reliance upon iron clads and Niggers, I would find intense satisfaction in the humbling of Dupont’s pride.” He then proposed a wild plan for Confederate naval success. “English Steamers” were “fine and fast boats,” he noted. The first few might be bought and armed. These could capture others. “They would have a splendid opportunity for destroying Clippers which are constantly off the harbor of San Francisco, could be very destructive by a raid upon the Whalers off Honolulu and then by a visit to the East Indies — the plan is so feasible that I am surprised that it has not been carried into action.” The clerk-strategist signed it “Gold advancing — Yours” and gave it to the smuggler.

With this questionably damning evidence in hand, Schenck considered whether Sterret should be turned over to civil authorities or tried by military court-martial. After his interrogation of Sterret, Schenck concluded that “he should be tried by a general court martial under the 57th Article of War.” Adjutant General Holt agreed, and Sterret’s case moved to trial in mid-June.

The specifications were that he “forwarded and conveyed to the enemy valuable information, with the intent and purpose of aiding and assisting the rebels in prosecuting a war against the United States Government,” and that he “secretly wrote and deliberately forwarded and attempted to convey to the enemy a certain letter . . . thereby holding correspondence with the enemy.” The letter, according to Holt’s subsequent review, was the main piece of evidence against

Sterret. Holt suggested to Stanton that “upon examination it will be found to be of an intensely disloyal character — containing important suggestions as to naval movements and giving pointed information as to where suitable and desirable vessels for pirating purposes could be obtained by the enemy.”

As the trial moved toward its conclusion at the end of August, Sterret’s counsel wrote a lengthy letter to Lincoln, alerting him that the “finding and sentence of the Court Martial may or may not make it necessary that the proceedings should be submitted to you for your approval.” Gwinn presumed that Holt might be of the “legal opinion that Sterret’s case was not within the articles of war,” but he was not sure. He also commented that he did not “know what else to do” than to “present these circumstances, and his defense frankly and respectfully” to the president, “even in the advance of the closing of his trial.” Gwinn also wrote to the secretary of state, hoping he would use, if possible, the influence of his office with the president. He noted that Sterret was “foolishly impulsive,” and that the letter as a “device was excessively absurd.”

In response to arguments from Gwinn before the court, Judge Advocate James Willett commented that the case came before a court-martial because of the “nature of crimes guarded against, in the difficulty, if not impossibility of bringing the offenders before a civil tribunal, and in the necessity of a prompt and immediate example.” He also cited a case that had recently come before the War Department and other legal analyses. Additional objections by the defense counsel were overruled. As far as the court was concerned, the accused was guilty because he “had written and put into progress toward the enemy the letter in question, and placed it beyond his power to recall it.” The final judgement was based on proof of Sterret “holding correspondence with the enemy, . . . with the intent to give important intelligence to them.” Upon review of the case, Holt could see no grounds for mitigation of the sentence which eventually ordered Sterret confined at Boston’s Fort Warren for the duration of the war. Holt considered the sentence fair, because “in view of the atrocious character of the offence committed, the penalty pronounced by the Court is considered extremely light, and inadequate.” The secretary of war confirmed the sentence and ordered that Sterret serve out the war at Fort Warren, far from the influence of Baltimore friends and relatives.<sup>80</sup>

It was not, as matters turned out, far enough away. Nine months after Sterret was confined in Fort Warren, a young lady, Miss Helen Salter who resided in Boston, attempted to visit and communicate with him. Prison authorities promptly rebuffed her efforts because she was “a young lady of ardent rebel sympathies.” The commandant of Fort Warren advised her that “she could have no communication by letter or otherwise with prisoners of war in his custody.”<sup>81</sup> Salter, who was not easily dissuaded, wrote directly to President Lincoln. “I venture to entertain a *hope*,” she wrote on September 27, 1864, “grounded simply,

on the feeling, that if possible, you *will* perform one of those noble acts of magnanimity, which are the proof of true greatness. . . . I commend myself and my friend to your well-known kindness." She then added that Sterret was "in delicate health, having a consumptive tendency — and his friends, none of whom know of this application to you, fear the results of another winter at the Fort."<sup>82</sup> Lincoln did not respond personally to Miss Salter but sent her letter to Stanton.<sup>83</sup>

Sterret's family could not forget him. In February 1865, five months after Salter's appeal and a year after his imprisonment at Fort Warren, they again tried to secure his release, this time with the help of the influential William McKim of Baltimore, whose wife was Sterret's aunt on his mother's side. McKim was a devoted Union man and widely respected in Maryland. Through a series of letters, beginning with one from B&O Railroad president John Work Garrett to Lincoln's private secretary, John G. Nicolay, and others to members of the administration, McKim and his contacts sought Sterret's freedom. Baltimore mayor Thomas Swann introduced McKim as "one of our most prominent and valued citizens, [who] is a thorough going friend of the Union, and a strong supporter of the measures of your administration. . . . [and] as a gentleman in all respects reliable."<sup>84</sup> McKim visited Washington to meet with Lincoln but was put off. He then wrote a lengthy letter to Lincoln on February 6 in which he summarized the Sterret case and added information he felt might help reduce the sentence. McKim mentioned that Sterret was about thirty-one years old; that he had lived in South America prior to the war on account of his pulmonary disease, and had only returned to Baltimore in 1862. McKim characterized Sterret's incriminating letter as "thoughtless," but he worried that the severity of the sentence was "now peculiarly harassing and depressing, because, by the recent death of his Father, his widowed mother and himself are almost entirely dependent on his labor for future support, and his health is now being seriously impaired by protracted confinement, producing melancholy, which threatens his destruction."<sup>85</sup>

All efforts failed. On March 9, 1865, Holt recommended against Sterret's release. "McKim . . . presents no facts which were not fully considered in the previous reports," he wrote. "Sterret is regarded as a dangerous man who cannot be released consistently without danger to the public safety." Thus ended the appeal.

### *Virginians charged with crossing the lines . . .*

A military court was much more sympathetic to several Virginians charged with crossing the military lines without authority or permission. William F. Craig, John W. Gilden, and John T. Johnson, all from Northampton County, were caught on the night of November 4, 1863, attempting to cross the Chesapeake Bay in a boat. The men were specifically charged with "wrongfully . . . crossing the lines

of hostile forces” as they attempted to “leave the territory occupied by the U.S. Forces, . . . in the act of conveying a large amount of provisions, stores, goods, merchandise and other property, within the lines of the said so-called Confederate forces.” Two of the three received sentences of nine months from time of capture, Craig received three months. After serving their time they could be released upon taking the oath of allegiance.<sup>86</sup>

On the other hand citizen H. F. Steward crossed from the Confederate lines in Washington County, Virginia, over to the federal side, where he paid visits to Washington, Baltimore, and Philadelphia. From there he attempted to return to Richmond but was arrested aboard the schooner *Viola* as he carried letters back to the Confederate states. Steward received a three-month sentence from time of arrest and would be released upon taking the oath.

The case of another accused prisoner was more complicated. Richard Brook Dorsey, labeled a political prisoner, was not only a resident of Richmond but was also a discharged Confederate soldier. He crossed federal lines in April 1862 to visit Washington, then remained in St. Mary’s County, Maryland, until his arrest in August 1863. Dorsey was by birth a Marylander, born in Baltimore County in 1840. He had been educated in Baltimore and at the outbreak of the war had joined many others in making his way to the Confederate army to free Maryland from northern occupation. He joined the 1st Maryland Infantry in June 1861. According to *Confederate Military History* (1899), Dorsey is reported to have been “detailed upon important and dangerous service,” but “in the fall of 1863 he was captured on the Potomac, near Westmoreland, Va.” The army sent him to the new prison camp at Point Lookout, Maryland, where he remained six months before he managed to escape. A month later he was recaptured, accused of violating parole, and was sent to Fort Warren for the rest of the war.<sup>87</sup>

At the time of his arrest Dorsey supposedly had been planning to return secretly to the Confederate side. In his written defense, Dorsey admitted crossing the lines without authority but said he came to Maryland for the “purpose of visiting [his] friends and recruiting [his] failing health, which was much impaired by a long and protracted attack of scurvy.” Dorsey also said it was his “intention to remain in St. Mary’s County, with [his] uncle, and lead a farmers life . . . but the activity of the cavalry in that county and the frequent arrests by them, induced the belief that I would not be allowed to prosecute my intentions and determined me if possible to return to Virginia.” He also stated he had to visit Washington to surrender his parole at the time of his arrest; he could not fulfill the terms of the parole and leave the United States, which he wanted to avoid. He had only accepted the parole to please his mother, but its “provisions were . . . much at variance with [his] own feelings.”

The court found Dorsey guilty and on February 8, 1864, sentenced him to prison at Fort Warren. On February 13 an order from the secretary of war re-

leased him. On February 20 the sentencing order was repressed by direction of the War Department. General Lockwood may have been influential in Dorsey's release, because in the court testimony Dorsey had asked time to get some letters from Baltimore written by General Lockwood which would "endorse his character as a man of varacity."<sup>88</sup>

### *Thomas L. Darnell — Citizen*

In mid-January 1864 a commission assembled to try Thomas L. Darnell of Montgomery County as a spy. Prior to the war, Darnell had worked as a clerk in the War Department in Washington. He was discharged from his job for unknown reasons and moved south to take a job in the quartermaster-general's office in Richmond, a move he admitted was an error attributable to his "unfortunate political education." Life in Richmond grew hard as the war progressed and shortages increased until it became impossible for him and his family to stay. In an act of desperation, he returned north, to his arrest. "Destitution . . . prevail[ed] in the city of Richmond & vicinity," he explained, and he had "become very poor. My little ones were barefoot and almost naked. With my greatest efforts aided by my wife's needle we could scarce procure the commonest supplies for our table. Winter with its rigors was upon us and I had not means wherewith to meet its demands. . . . Could I see my dear ones suffer for the very necessaries of life?" He determined to "run the blockade for the purpose of procuring some funds and supplies for my children & wife." After resigning his clerkship in Richmond, he made his way back to Maryland. "Having procured a pass from the P. Marshalls Office to visit Richmond Co. on the pretext of visiting a friend there, I hastened on to the Potomac crossing at Matthias Point . . . passing through Charles and P.G. Cos. I struck with the R.R. at Scaggs Station and arrived in Balto. . . . [and] went immediately to Wm [?] Diffenderfers [on] E. Pratt Street where my wife advised me to go. . . . He took me to Mrs. Kimmys near by where I remained till the day of my arrest on the 19th, occupying my time in writing a few letters, in reading & walking &c."

The question naturally arises, what would have alerted the authorities to his presence in Baltimore? Could it have been a suspicious neighbor, the Diffenderfers, or Mrs. Kimmsy? Octavius Diffenderfer, testifying at the trial, stated that his "wife preferred that he [Darnell] not come again so they would not get into trouble."<sup>89</sup> Another witness, who had known Darnell for fifteen years since the time they had worked in the same firm, was asked when he first saw Darnell whether he had come in disguise. To this Darnell replied "no" and stated he had even used his own name. His friend then warned that he would be "arrested in less than twenty-four hours and if arrested [he] had better take the oath of allegiance and have no hesitation about it." Darnell was in Baltimore only six days before a detective arrested him on orders of Provost-Marshal Fish.

The evidence against Darnell was less than overpowering. Not so Fish's detective, who reported he had "found him at the boarding house — he had just come in to dinner. I asked to see him — he came to the door. I went upstairs to examine his baggage. He had nothing but a valise some under clothing and a pair of shoes — a few envelopes and some paper and poetry denouncing the President and his cabinet — the poetry was sent to Col. Fish." Why he had in his possession "traitorous" poetry, especially since he knew he had not crossed the border legally, is something of a mystery. Perhaps he had more important things on his mind, namely financial assistance for his family. He also carried letters that he maintained were of a personal and private nature, never concerned with "military or political matters." He had remained in seclusion because he planned to return south to his family as soon as he had found some means to support them. Darnell admitted he should have gone to the authorities to report himself, but his thoughts were entirely with his family. His wife, who was from Pennsylvania, had asked for a permit to return north, but her request was denied. His options therefore had been few, and he could hardly expect his wife and their four young children to run the blockade together.

The court found Darnell guilty of crossing the lines but not guilty of spying. He was sentenced to three months in prison, and upon taking the oath he would be released. The authority reviewing the case considered the sentence too lenient but approved it because Darnell's health was feeble and his repentance seemed "deep and sincere." Darnell was fortunate with this outcome, though how his family managed in his lengthy absence is not known. His physician uncle in Kentucky, to whom he had sent a letter asking for financial help, did not oblige him and simply discarded his letter. Perhaps his stay in Richmond was more than his Unionist relatives could forgive.

### **Assessment of Cases**

In reviewing these ten representative cases it is natural to examine any patterns that may be detectable. Was the severity of the sentence consistent with the seriousness of the offense? Is there evidence that the courts considered mitigating circumstances? Was there merit in Gordon's charge that there was a conspiracy to charge all Confederates as spies and then condemn them? And were the higher authorities consistently supportive of the court's verdicts and sentences?

For the less severe cases, the court was consistent in its verdicts, and time in prison was moderated consistent with the vagaries of each case. The courts took special circumstances into consideration, such as in the Armstrong case, where, instead of forfeiting it, Armstrong's pay was sent to his mother. On the other hand, all the Confederates charged as spies were indeed found guilty and sentenced to execution, but their executions were commuted by Lincoln. "Political prisoners" were confined in prison for the duration of the war, unless the courts

found mitigating circumstances, as in the case of Darnell. For the capital crime of murder, of which the court convicted Laypole, the court displayed no flexibility. Nor did Lincoln show compassion for the criminal, only for those who suffered at Laypole's hands.

Of those cases requiring the approval of Adjutant General Holt, none of the verdicts or sentences was reversed, though if a sentence were deemed too light Holt would comment to that effect. Holt judged no sentences too severe, the reduction of which would have required a change by either the general commanding the Middle Department or the adjutant general. The conclusion emerges that the administration viewed onerous policies as a necessary part of the war against sedition and rebellion. The 8th New York and other regiments stationed in Baltimore brought no prejudices of their own but followed established military policies laid out by the War Department and the adjutant general's office. They listened to moderating circumstances in the lesser cases, but showed no mercy toward the highest crimes.

#### NOTES

1. Letter from Marshall N. Cook to Irving Cook, January 8, 1863. Collection of Betty Cook, Bergen, New York.
2. There were over 80,000 general courts-martial and military commissions during the Civil War. Many, but not all of them, were listed in record books from the period and later microfilmed. To locate a specific case one can search by date or alphabetical listing by name, but legibility, errors in spelling, casual alphabetizing and haphazard chronology in the original documents lead to omissions. Each case was given a specific number, such as NN1070 for Elisha Hudson of the 3rd Delaware. Three other individuals may also have this number, since an order was promulgated for a court session (which might last weeks) for a specific person and "any others to come before the [same] court." Trials administered by the 8th New York Heavy Artillery can be found by searching line-by-line in eight reels of microfilm [Record Group 153 – MM1105]. A broad search was made first of all court cases held in Baltimore and Fort McHenry from September 1862 until June 1864. From this list were culled some four hundred cases, 280 of which had officers of the 8th serving as president of the court and the judge advocate. Those cases specifically identified with the 8th are found in a specific series of cases, starting with double letters and followed by numbers, such as LL268, NN1070, or MM1332. These files include the name of the accused, unit of service, name of president of the court and judge advocate, date of order for trial, and location of trial. In order to find the outcome of each case, the actual records must be ordered by case number (such as LL268) from Record Group 153 and read to determine charges, specifications, verdict and sentence. In searching LL268 cases one finds not just one or two names, but thirty. Most of these individuals were members of the Fifth New York Heavy Artillery and the 2nd U.S. Artillery regiments serving in Baltimore who were charged with drunkenness or desertion. By searching each number group, one finds individuals who were impossible to locate by merely reading the microfilm. At this point, only slightly under one-half of the 280 cases have been read; when the remaining cases are examined, it is anticipated the

final tally of court cases will be over three hundred individuals. It was also discovered that those individuals who were tried and found guilty of a capital offense were likely to also have a signature or comment in their records from President Lincoln; at least eight have been found and more are possible.

3. New York State Archives, records of the Adjutant-General's Office, (14405) Special Orders, No. 423, August 11, 1862. Regiments under the call of July 2, 1862, were to proceed to Washington and report for duty to the secretary of war. The order "delaying" this regiment in Baltimore has not been found.

4. The 129th N.Y. Volunteers were re-designated the 8th New York Volunteer Artillery on December 11, 1862; this was also changed to reflect the War Department order by Special Order No. 864, New York Adjutant-General's Office, December 19, 1862. Because of their posting to the heavy artillery forts in Baltimore, the regiment was officially labeled "Heavy Artillery" on its regimental roster in May 1864.

5. See Charles Warren, *The Supreme Court in United States History* (Boston: Little, Brown, and Co., 1947), II: cf 373, for list of executive orders and proclamations regarding civil liberties. Martial law is "the will of a military commander, operating without restraint, save his judgment, upon the lines, upon the property, upon the entire social and individual condition of all over whom this law extends." Military law is "that system of laws enacted by the legislative power for the government of the army and navy of the United States, . . . It has no control whatever over any person or any property of any citizen." For additional discussion of martial and military law, see George Tincknor Curtis, *Constitutional History of the United States* (New York: Harper and Bros., 1896), 679–80. Curtis's essay on "Executive Power" discusses at length the rationale for Lincoln's power to act based on the Constitution and military power, 670–86. "He is general-in-chief; and as such, in prosecuting the war, may do what generals in the field are allowed to do within the sphere of their actual operations, *in subordination to the laws of their country, from which alone they derive their authority*," 677. A more contemporary discussion of executive power can be found in the essay by Arthur M. Schlesinger Jr., "Abraham Lincoln and Franklin D. Roosevelt" in Gabor S. Boritt, ed., *Lincoln, the War President* (New York: Oxford University Press, 1992), 158–59.

6. Bernard Schwartz, *A History of the Supreme Court* (New York: Oxford University Press, 1993), 127.

7. For additional discussion of provost-marshal responsibilities see Robert I. Alotta, *Stop the Evil: A Civil War History of Desertion and Murder* (San Rafael, Calif.: Presidio Press, 1978), 87–88.

8. The reward for apprehending deserters varied during the war from \$5 to \$30. Compared to a private's paltry pay of \$13 a month, those working for the provost-marshal could anticipate lucrative compensation for any deserters apprehended. Alotta, *Stop the Evil*, 86–88.

9. National Archives and Records Administration (hereafter NARA), microfilm publications pamphlet describing M1523: *Proceedings of U.S. Army Courts-martial and Military Commissions of Union Soldiers Executed by U.S. Military Authorities, 1861–1866, Records of the Adjutant General's Office . . . Record Group 94*, (Washington: National Archives and Records Administration, 1988), 2.

10. *Ibid.*

11. *Ibid.*

12. *Ibid.*, 4.

13. *Ibid.*

14. Expertise in handling cases also was the result of civilian training. Willett was a practic-

ing lawyer in Batavia, New York, in 1860. Captain Baldwin was a "student at law" also in Lockport, New York, prior to the war.

15. General Orders were numbered consecutively beginning with "1" each January. "General Orders," as the words imply, deal with broad orders, which were often printed for easier dissemination. The General Orders could call, for example, for the convening of a court. Special Orders, also numbered the same way, would specify a person, time or place in greater detail. In some cases, Special Orders would be issued also to convene a trial of an individual already listed with a group of individuals under a General Order.

16. Letter from Joel Baker to his wife, February 17, 1863, in Naomi B. Baker, *Letters Home: Joel B. Baker* (privately published), 91.

17. Marshall N. Cook to Irving Cook, December [n.d.] 1862. Cook Collection.

18. Joel Baker to wife, July 8, 1863, in Baker, *Letters Home*, 120.

19. Joel Baker to wife, September 26–27, 1863, in Baker, *Letters Home*, 138–39.

20. Marshall N. Cook to Irving Cook, December 12, 1863, Cook Collection.

21. The roster and charts are in the author's possession.

22. Case NN1185, Martin Mullins, Record Group 153 (hereafter RG and number), General Court-Martial Record (hereafter GCMR), NARA.

23. Case LL334, RG 153, GCMR, NARA. The brick thrower was Private George Smead, Company D of the 8NYHA. The second offender was Private E. L. Waterbury of the 55th PA Volunteers. Both men in this case were prosecuted by Major James M. Willett.

24. RG 94, NARA. Authority for these "informal" proceedings is prescribed at the top of the proceedings' manuscripts found among miscellaneous regimental papers, 8th N. Y. Heavy Artillery Regiment.

25. Horace Greeley, *The American Conflict: A history of the Great Rebellion in the United States of America, 1860–65* (Hartford, CT: O.D. Case & Co., 1867), 492.

26. Case LL607, Peter Haring, RG 153, GCMR, NARA.

27. Case L2077, E. M. Armstrong, RG 153, GCMR, NARA.

28. The regiment's records, which are incorrect, show him as having deserted on Dec. 30th.

29. Case NN224, Isadore Leopold, RG 153, GCMR, NARA.

30. If he was to be sent back to his regiment, then his trial should have been dropped.

31. Case NN224, Isadore Leopold, RG 153, GCMR, NARA.

32. Dr. T. D. Witherspoon, "Prison Life at Fort McHenry," *Southern Historical Society Papers*, 8 (1880): 165.

33. Morris, a West Pointer and Colonel of 6th N.Y. Heavy Artillery, had served earlier as an assistant adjutant general. At the time of Leopold's trial, Morris was officially brigadier general of U.S. volunteers and beginning March 27, 1863, he commanded the 2nd Brigade, 1st Division of the 8th Army Corps in Baltimore. See Stewart Sifakis, *Who Was Who in the Civil War* (New York: Facts on File Publications, 1988), 458.

34. *Ibid.*

35. *Ibid.* Baker probably intended the "F" to be an "I" in the writing of Laypole's initials. An "I" is found in a number of other sources which would confirm this and add to the confusion with I. Leopold. Andrew Laypole's signature on his court-martial documents shows his middle initial as "T," which could easily be confused with an "F" or "I."

36. 1st Virginia Cavalry, regimental return, Company F, November 1862 (microfilm) RG 94, NARA.

37. Robert H. Milroy to Robert C. Schenck, April 25, 1863. At the end of this statement, Milroy added that it was "strongly corroborated by other circumstances and information," and the rest of the information contained therein should be investigated. *The War of the*

*Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, series 1, 25/pt. 2, pp. 252–53.

38. Commissary General Register for Fort McHenry Prison (1862–1865) RG 393, M598, roll 96, page 80. NARA.

39. Baldwin's Rebuttal in Military Commission Record (hereafter MCR), Case MM223, Andrew Laypole, RG 153, NARA.

40. MCR, MM 1332, Andrew Laypole, RG 153, NARA.

41. *New York Tribune*, 26 May 1864, from an article in the *Baltimore Clipper*, May 21 [23], p. 2.

42. Lincoln wrote to Schenck on November 20, 1863, requesting that Gordon not be executed without further order and requested a reply from Schenck. No reply has been found. Roy P. Basler, ed., *The Collected Works of Abraham Lincoln* (New Brunswick, NJ: Rutgers University Press, 1953) 7:26.

43. MCR, MM1056, William F. Gordon. RG 153, NARA.

44. A military commission was convened October 14, 1863, for Armesy and Davis, presided over by Colonel Porter. Both men were found guilty and sentenced to imprisonment at Fort Warren in Boston for the term of fifteen years, by General Order No. 397 (December 16, 1863), *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (hereafter cited as *O.R.*), II, 6:708–9. Gordon had written to Armesy in cipher.

45. Letter to Mrs. Catherine Bassel, May 11, 1863, used as evidence in case MM1056, William F. Gordon, MCR, RG 153, NARA.

46. *Ibid.*

47. Robert Ould to U.S. Grant, March 20, 1865. Ould was the C.S.A. agent for exchange. In this letter he referred to Gordon and Armesy who had already been released, and inquired why Lieutenant Daniel Davis had not also been released. Therefore, he asked Grant (because he had had no response from other authorities) "to cause him to be released and sent to us." *O.R.*, series II, 8:413.

48. Joel Baker to wife, August 9, 1863, in Baker, *Letters Home*, 133–35.

49. Case LL235, William B. Compton, GCMR, RG 153, NARA.

50. Basler, *Abraham Lincoln*, 6:227.

51. Pierpoint "had helped carve out West Virginia as a separate State, and then conducted a puppet State government of Virginia with Alexandria as a sort of capital." See Carl Sandburg, *Abraham Lincoln: The War Years* (New York: Harcourt, Brace & Co., 1939), 4:233. Pierpoint's election was based on votes from Unionist delegates in forty Virginia counties (Sandburg, *Lincoln*, 3:208). Sandburg does not mention the connection of Governor Pierpoint's wife in the suspended execution, but clearly Lincoln recognized an obligation to support Pierpoint as governor of Virginia in the absence of any other legal government.

52. Sandburg, *Lincoln*, 3:525–26. It is unclear why General Augur was involved with the Compton case. Compton had been arrested within the military control of Washington, but was held in Fort McHenry under Schenck's control.

53. *Ibid.*, 526. It can only be surmised that Lincoln was displeased with Dana and Augur. Lincoln often sent three or even four telegrams or dispatches to military authorities to be sure no one was executed in error. The Compton episode is reported in the chapter "The Man Had Become the Issue." Sandburg's collection of Lincoln materials contains the handwritten copy of the order to get information on Compton's case. Refer to this chapter for an extensive report on Lincoln's responses to appeals, his pardons, and approvals for executions.

54. *Ibid.*, 323.

55. *O.R.*, II: 5, 729, 747.

56. O.R., II: 6, 128.

57. Hoffman to Meredith, August 1, 1863. Hoffman summarized the condition of various rebel officers, including four who would be tried by members of the 8th New York: "Capt. W. Baylor, held at Fort McHenry, has been tried and is awaiting the decision of the court-martial. Captain Compton, captured in Virginia with letters and papers from the Southern Confederacy, tried as a spy and sentenced to be hung, reprieved by the President, in confinement at Fort McHenry. Major Armesy, Grinsley, sent within our lines to recruit for the rebel service, confined at Fort McHenry. Lieutenant Davis, sent within our lines to recruit for the rebel service, confined at Fort McHenry. Captain W. F. Gordon, sent from Fort McHenry to Fort Delaware temporarily, has to return to Fort McHenry for trial. . . ." *Ibid.*, 164.

58. Letter from Joel Baker to wife, August 9, 1863, in Baker, *Letters Home*, 133–35; Basler, *Abraham Lincoln*, VI: 233–34. In Sandburg's history Compton was to be executed by firing squad. Sandburg, *Lincoln*, 3:525.

59. Louis A. Sigaud, *Lincoln Herald*, 67:29.

60. *Ibid.*, 31.

61. Copy of order from General Robert E. Lee to Heard, September 13, 1862. John Wilson Heard 1819–1875 Notes, MS 2132. Maryland Historical Society. No copy of this order is contained in the military commission records in the National Archives.

62. LL607, May 15, 1863, John W. Heard, MCR, RG 153, NARA.

63. Pro-southern newspapers in Maryland and other border states were confiscated or shut down by Union authorities. In Maryland, Missouri, and Kentucky, citizens were charged with military crimes such as "sabotage, espionage, and guerrilla bushwacking. [And also] under cover of 'liberty of speech,' 'liberty of the press,' and 'Habeas corpus,' . . . the rebels 'hoped to keep a foot amongst us a most efficient corps of spies, informers, supplies, and aiders and abettors of their cause.'" Also, regarding newspaper editors who spoke out against the war or the draft, "Lincoln argued that their speeches and editorials discouraged enlistment in the army or encouraged desertions from it." See James M. McPherson, *Abraham Lincoln and the Second American Revolution* (New York: Oxford University Press, 1990), 57–60.

64. Challenging the jurisdiction for military commissions was a useful ploy by Confederate prisoners in an attempt to have their cases removed from military courts. Because central and western Maryland *was* under martial law, though, courts concluded that military commissions were legal. In one case in 1864 federal military authorities went beyond the legal limits and convicted an Indiana civilian, Lambdin P. Milligan of treason. The Supreme Court following the war overturned the landmark *Milligan* case because "civilians cannot be tried by military courts in a region where the regularly established courts are functioning, as they were in Indiana." McPherson, *Second American Revolution*, 58.

65. MM1057, John [H.] Manaydier [*sic*] [Maynadier], MCR, RG 153, NARA.

66. *Ibid.*

67. *Ibid.*

68. This execution date should read "November 25th." See Basler, *Abraham Lincoln*, 7:26.

69. Lincoln to Schenck, November 20, 1863; see also Basler, *Abraham Lincoln*, 7:26.

70. Ould to Meredith, November 28, 1863. O.R., II, 6, p. 590.

71. This was coincidentally the same cavalry group to which Andrew Laypole had belonged. Maynadier was in company K.

72. MM1057, Maynadier, MCR, RG 153, NARA.

73. *Ibid.*

74. MM1057, Maynadier, MCR, RG 153, NARA. Evidence in the Maynadier case includes a letter from Colonel William Maynadier to Stanton, May 18, 1865.
75. MM1106, Samuel Sterret, GCMR, RG 153, NARA. John S. Gittings was a banker at Gittings & Co., 29 South Street, Baltimore. (1864 City Directory for Baltimore).
76. Commissary General Register for Fort McHenry Prison (1882–1865), RG393, NARA.
77. See Regimental Record Books, 8th N. Y. Heavy Artillery, regarding General Order No. 1, December 22, 1862, Middle Department, 8th Army Corps, RG 94, NARA.
78. MM1112, Major Thomas Armesy, MCR, RG 153, NARA. Armesy requested that money be sent for his defense via General Morris at Fort McHenry, or “by the underground rout [*sic*] to Mrs. Sterret, Balt, subject to my Order.”
79. Blockade running posed a significant problem for the federal authorities. See Mark E. Neely Jr., *The Fate of Liberty* (New York: Oxford University Press, 1991). For a discussion of blockade runners, see pp. 25–26, 135, 139, 147–50. See also Neely’s comments on the Turner-Baker Papers which are arrest records from 1862–1865, 118.
80. MM1106, Samuel Sterret, GCMR, RG 153, NARA. Letter in evidence from Samuel Sterret to Isaacs Sterret, February [n.d.], 1863.
81. *Ibid.*
82. Salter to Lincoln, September 27, 1864, held in evidence in MM1106, Samuel Sterret case.
83. Charles Anderson Dana was Lincoln’s assistant secretary of war beginning January 28, 1864. See Sifakis, *Who Was Who in the Civil War*, 166.
84. MM1106, Samuel Sterret, GCMR, RG 153, NARA. Letter in evidence from Thomas Swann to Abraham Lincoln, February 7, 1864. William McKim was a banker with McKim & Co., 186 W. Baltimore Street. Other McKim brothers were also involved with banking in the city (1864 City Directory for Baltimore).
85. Letter in evidence from McKim to Abraham Lincoln, February 6, 1864. MM1106, Samuel Sterret, GCMR, RG 153, NARA.
86. LL1114, file included joint cases for H. F. Steward, William F. Craig, John T. Johnson, John W. Gilden, and Richard B. Dorsey. MCR, RG 153, NARA.
87. *Confederate Military History*, (Maryland) 2:262. Dorsey was released in June 1865, and paroled. He then went to California and Nevada until 1880 but returned and settled in Fairfax County, Virginia. In 1893 he accepted an appointment as a clerk in the U.S. Patent Office.
88. LL1114 & NN966, Richard B. Dorsey, MCR, RG 153, NARA.
89. Octavius Diffenderffer was a liquor merchant at Charles H. Ross & Co., 80 E. Pratt Street, Baltimore (1864 City Directory for Baltimore).



Augustine Herrman placed Oxford on the banks of Maryland's Tred Avon River in 1670. The town served as one of the province's earliest ports. (Maryland Historical Society.)

# One Hundred Lots Make It a Town: Four Surveys of Early Oxford

JOSEPH B. THOMAS JR.

In the early summer months of 1707, Talbot County surveyor William Turbutt and his crew dragged their chains and poles across the tiny community of Oxford and resurveyed the land for the fourth time in twenty-three years. They acted on the direction of Governor John Seymour and the Commissioners for Trade and Plantations who had instructed the General Assembly to pass legislation creating eight towns in an effort to regulate and control trade. The 1707 plat and the corresponding survey descriptions are the only surviving documents of the first-known efforts to erect a town on the banks of the Tred Avon River. A careful examination of these records, coupled with the surviving lists of lot buyers, offers a unique opportunity to witness the settlement and growth of one of Maryland's first port communities.

Colonial Chesapeake settlement patterns like towns and plantations created a complex pattern of interacting relationships. Tangible objects like people and goods, and intangible systems like credit, moved around the region over a network of waterways, roads, and social relationships. Plantations of differing sizes, populations, and production levels supported various kinds of dwelling, mercantile, and agricultural structures. Small settlements also became sites for economic and social exchanges.

Plantations have received more scholarly attention than these smaller Chesapeake settlements. Bonds of proximity, debt, and kinship connected these basic units of agricultural production. The landowners maintained contact with their metropolitan customers either directly or through an evolving network of factors and agents. Researchers have studied the documentary and archeological records of this colonial activity and produced a rich account of agricultural life in Maryland and Virginia.<sup>1</sup>

By contrast to the wealth of scholarship about plantation life, the small settlements called "towns" in contemporary description and legislation have not fared so well. Few of them existed, and scholars who have studied them focus on the absence of towns, not the characteristics of those that were present. Those who study towns focus their attention on the apparent insignificance of these small habitats and wonder why they failed to develop into more extensive urban net-

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works. The lack of information about these settlements reaches back into nineteenth-century studies as well.<sup>2</sup>

Several theories have characterized the settlement studies of the colonial South. Some scholars have examined the motivations behind the Chesapeake colonies' attempts to legislate the establishment of dozens of towns at a time between 1680 and 1710, efforts that one writer has called "futile attempts to override nature."<sup>3</sup> Some of the towns established by these laws were surveyed and only lightly settled, revealing an apparent gap between legislative intent and economic reality. This attention to the general failures of town legislation overlooks the successes. Towns *were* settled and in some cases still exist today after more than three centuries of uninterrupted occupation. Oxford, Maryland, is one of these towns.

Other scholars have approached southern town settlement and analyzed what kinds of economic activity could be called "urban" functions. Businesses like inns, stores, and taverns, and government services like courts usually operated in urban places. These historians then considered whether such activity necessarily had to occur in the urban places that were so rare in the South.<sup>4</sup> Economic historians addressed the role of the overseas staple trade. Their work drew a direct connection between the amount of economic activity generated by a staple crop beyond its mere price at sale and the urban-based support infrastructure that developed to accommodate it. Still other scholars of the American south have attempted to understand town settlements in the context of local settlement systems.<sup>5</sup>

One approach to studying small clustered places that has been relatively neglected is morphology—the physical organization of a place "on the ground." An analysis of the way these settlements were actually laid out can provide a useful understanding of economically based town development. If a supposedly urban economic activity commonly occurred outside places with a "townlike" physical form, then the inherent "urban-ness" of the function should be reconsidered. On the other hand, if "townlike" places existed in a region where staple production did not yet permit well-developed urban systems, then perhaps a more extensive characterization of the variety of non-urban settlements is in order. If nothing else, an organizational description can sometimes confirm whether or not a particular town law or contemporary traveler's narrative described any existing place.

Of course, the definition of terms such as "townlike" can be as troublesome for physical description as "urban" is for economic description. Gradations of settlements into hamlets, villages, towns, and larger places based on the presence of particular service functions—a useful tool in the town-centered rural landscapes of the nineteenth and twentieth centuries—fall apart in places where economic functions are broadly distributed. The level of legal recognition and

power given to towns varied by colony and period and so does not provide a sound basis for comparison or classification. Going beyond questions of nomenclature, the simple presence of a cluster of structures might be a useful indicator, but a very small Chesapeake town and a middle-sized plantation might have similar sized populations in similar-appearing building clusters, yet be entirely different kinds of places. Neither hierarchy nor simple physical arrangement are reliable ways to recognize towns.

The working definition of “town” used in this study of Maryland’s colonial settlement landscape is one designed to highlight these places against the background of plantation settlement, and involves a legal as well as a physical component. A “town” is a group of contiguous, relatively small lots with independent legal existence—in other words, lots conveyed as lots and not as subdivisions of the larger tract of which they were once a part.<sup>6</sup> The use of the word “town,” as opposed to village, hamlet, or any other settlement term, reflects the nearly universal contemporary term for these places.

The use of settlement organization to consider such places is not new. In the 1930s and 1940s, geographers such as Edna Scofield and Glenn Trewartha conducted detailed studies of rural settlement in New England and Wisconsin, respectively.<sup>7</sup> John W. Reps’ 1972 *Tidewater Towns: City Planning in Colonial Virginia and Maryland* is the most extensive published collection of plats documenting the planned layout of Chesapeake towns. But a significant weakness of *Tidewater Towns* and similar works for studies of particular places over time is that they show towns as they were initially planned, not as they eventually developed—if in fact they did develop. They are therefore limited in what they say about the actual evolution of places.

A fuller reconstruction of town organization depends on several kinds of historical evidence that are not always available for every place. Survey plats are necessary, unless survey descriptions with sufficient detail to reconstruct a plat are available. Land records can allow ownership patterns and sometimes actual land use to be tracked through time. Probate records may provide detailed information about lot structures, and other contemporary descriptions provide additional data about occupation and use. The most important records for morphological reconstruction are survey plats and land conveyances even though they exclude non-landowners and may obscure tenancy patterns. These patterns are crucial to identifying actual lot occupants (as opposed to lot owners) and lot functions.

Oxford provides a useful example of the utility and limitations of an organizational approach. The town first appeared in the records in the 1660s, and over the next forty years was surveyed no less than four times. The first three surveys left no plats or survey descriptions, but did leave lists of lot buyers that can provide a remarkable amount of information about the development of the

town in the last years of the seventeenth century. The plat of the final survey in 1707 and a list of lot buyers allow the reconstruction of owned lots at the time of the survey, and the patterns of land values for the remaining properties.

This study presents an organizational view of Oxford during the period of the four surveys and shows both the strengths and weaknesses of this approach using the available data. Because the study concentrates on the survey record, it places relatively more emphasis on lot “anatomy” and relatively less on lot “biography,” that is, identifying who was on each lot and what he or she was doing there. This narrow slice of the town’s early history demonstrates that although town development reconstructions using plats and land records paint a necessarily coarse picture, they can provide a valuable context for other kinds of information that can be difficult to distinguish in other ways. Physical patterns of settlement reveal activity patterns, and lot value patterns indicate social and economic status.

### **Early Settlement and the First Survey, 1684**

The earliest surviving record to mention Oxford bears the date 1668. A bill of sale for fifteen acres and three buildings at or near the town site referred to an earlier grant of thirty acres from planter William Stevens Jr. to Lord Baltimore for a town. A 1669 proclamation that designated official ports throughout the colony placed one “afore the Town Land in Trudoven in Choptank.” This proclamation and two others like it from 1668 and 1671 are sometimes cited as the beginning of Maryland’s new towns program. The proclamations themselves discuss the sites only as places to load and unload ships which highlights the fact that although a port may be located in a town the two terms are not synonymous. The 1669 proclamation included several references to ports located “afore” town land, including one port in Charles County located “as near the Town land as Ships and other Vessels can conveniently Ride.” The proclamation’s wording, when considered with William Stevens Jr.’s grant of land to the proprietor for a town, suggests that there was a parallel but separate town-founding effort at the time of the port proclamations, perhaps initiated by the proprietor or governor without the assembly’s direct involvement.<sup>8</sup>

Augustine Herrman’s 1670 map placed the town name reasonably close to its present location, although he did not mark the site with the map symbol that he used for other towns. Three conveyances of Oxford houses and a lawsuit between a merchant and his storekeeper over the operation of a store in the town confirm that Oxford in the 1670s was something more than just a name on the map.<sup>9</sup>

In 1683 the Maryland assembly followed the example of a 1680 Virginia law and passed the first of several acts designed to build a network of settlements



*Seal of Oxford as a port of entry, 1694. Oxford's status as a colonial port brought repeated legislative attempts to regulate trade. (Courtesy, Oxford Museum.)*

through which trade could be channeled and controlled. It named thirty-one town sites, including one “neere Tredaven Creeke att the Towne Land,” the site of Oxford.<sup>10</sup> The act had two sets of provisions: those that offered incentives to live in the towns and those that outlined instructions for identifying and actually establishing the towns.

The list of incentives left no doubt that trade was the focus of the legislation. Neither imports nor exports could be unloaded, loaded, or traded anywhere but in the new towns. Customs officials were to be stationed in the towns to allow ships to clear quickly into and out of the province. All public levies and officers’ fees were to be paid there, and would be discounted 5 percent. Town dwellers were allowed to trade freely in any amount or kind of goods, as long as they resold their merchandise in the same town where they bought it.<sup>11</sup>

The legislators were confident enough in the eventual success of the towns that they included a provision denying assembly representation to any town not yet large enough to financially support a delegate, lest “the great number of townes ports & places afores<sup>d</sup> may in time to Come prove Burthensome to the

publick by increasing the number of Burgases in Assemblies." The restrictions imposed on commerce proved to be onerous. After attempts in the supplemental acts of 1684 and 1686 to impose less stringent restrictions also failed, the assembly gave up and in 1686 passed an act without town-related trade restrictions.<sup>12</sup>

The 1683 provisions for actually laying out the towns were much more realistic and remained substantially the same in the next twenty-five years of town legislation. The act named commissioners in each county who were to go to the designated town sites and acquire them from their owners by voluntary sale or by condemnation. No provisions for town incorporation or self-government were specified beside the limitation on burgesses, and the town commissioners of each place had no authority beyond the initial survey and sale of lots. This act and subsequent town legislation were exercises of eminent domain similar to contemporary laws for mills and roads. These laws authorized the government to take land for a public purpose after compensating the owner. The acts were not municipal legislation like that of the nineteenth and twentieth centuries, in which a legal entity called a "town" was created and empowered.<sup>13</sup>

Once the designated hundred-acre tract had been bought, the county surveyor would lay out a plan consisting of streets, public areas, and one hundred lots. The lots were then made available for sale to county inhabitants for an equal percentage of the total price of the townsite. For example, if the entire site cost 15,000 pounds of tobacco, then each of the hundred lots therefore sold for 150 pounds. Non-inhabitants of the county could buy lots after four months. New lot owners were required to build a house on their lot within two years, or they would forfeit the property. Those who successfully met the building requirement then owned the lot, subject only to a quitrent paid to the Lord Proprietor. Unsold lots reverted to the original landowner after five years.<sup>14</sup>

Although the Oxford site had been named in the 1683 act, the Talbot county commissioners do not seem to have started work until the first supplemental act, passed in April 1684, threatened dilatory commissioners with substantial fines for failing to do their duty. The commissioners finally met on the last day of July 1684 and laid out one hundred lots.<sup>15</sup> The plat of this survey does not exist, but the hundred acres probably included the peninsula between the Tred Avon River and Town Creek where the main part of town lies today, the island off the northeast tip of the peninsula later called Kerr's Island (now connected to the mainland), and an area of unknown size on Oxford neck at the base of the peninsula. Lot sales were initially slow. Only seventeen lots were recorded as taken up on August 2, the first day they became available. More lots were taken up over the next two years. Some original owners eventually forfeited their lots for failure to build the required house, but these properties were taken up again by the original owner or by another buyer. Forty-four of the hundred lots were taken up by the end of 1686.

The town prospered during the next few years. Oxford's inhabitants petitioned the Maryland Council for formal incorporation in 1692. This privilege until then had been reserved for the colonial capital of St. Mary's City. If the 1668 articles of incorporation for St. Mary's City's had been used as a guide, Oxford would have gained a municipal government with perpetual succession, the right to pass and enforce laws, and some taxing power. Governor Leonard Copley took the petition for consideration on the Council's behalf and effectively killed it, perhaps to secure St. Mary's City as the colony's political center. Two years later the provincial assembly turned its attention to towns in general and to Oxford in particular.<sup>16</sup>

### **The Second Survey, 1695**

After Virginia passed a new town act in 1691, the General Assembly spent part of 1694 debating a town act of their own. Undoubtedly distracted by their pending move from St. Mary's City in the wake of the Protestant Revolution and the subsequent takeover of the assembly by John Coode and his Protestant Association, the legislators were unable to agree on a comprehensive bill. They did pass legislation designating as towns and ports Oxford and the "Land Called the Town Land at Seavern," which was to be called Ann Arundell Town. The law's trade provisions were less restrictive than those of earlier legislation. Ships were not required to clear one of the two newly designated ports, but district collectors were required to maintain a continuous presence there, making customs clearance more convenient for mariners in the towns than elsewhere. In addition, debts paid in the two towns were to be discounted 10 percent, providing another incentive for colonists to live or trade there.<sup>17</sup>

The two towns themselves were to be resurveyed on one hundred acres of land and the town lots were to be made available for purchase. The law protected those who already held lots. The owners of the land on which each town lay got the first choice of a lot, and the royal governor could then choose up to three lots. Only county inhabitants could take up lots in either place during the first six months after the survey. Lot owners had six months in which to build a twenty-foot-square house, after which they gained full possession of their lot, subject only to a penny-per-year quitrent to the Proprietor. Lot owners who did not build a house within the time limit forfeited their lots.

Oxford's commissioners met in February 1695 to begin the process.<sup>18</sup> They called a jury to establish land ownership, and they set the price at five hundred pounds of tobacco an acre for town land. The jury then priced the one hundred acres designated for use as common land at nine thousand pounds of tobacco for the tract. This work done, the survey could begin, but bad winter weather caused a four-day delay.

The surveyors finally laid out the town peninsula and the adjacent island into one hundred lots. They also surveyed the common land. The owner of the property, Nicholas Lowe, made first choice of a lot in accordance with the legislation. An agent for the governor claimed the next three lots. Fifty-four of the hundred lots were taken up over the next few days. Prior owners claimed twenty-seven of these improved lots. The rest were taken up for the first time, implying that seventeen of the forty-four lots taken up between 1683 and 1686 had been forfeited or abandoned in the intervening years.<sup>19</sup>

No plat of the second survey survives, so the physical distribution of lot sales is not known. Even lot number continuity may be questionable: some lot owners who claimed rights to improved lots in 1695 can be matched by name and lot number to the 1684 survey or subsequent conveyances, but some lots listed as improved in 1695 do not match earlier occupied lots. This either reflects a partial renumbering of lots or, more likely, lost conveyance records. Lot numbering in 1695 appears to have followed the earlier survey closely if not completely.

In spite of the lack of a plat, a few observations can be made about the 1695 survey. For most of the lot owners in Oxford before 1695, one or two lots at a time was enough of a town holding. There is no evidence of land speculation. The only person who claimed more than two previously improved lots in the 1695 survey was an innkeeper, John Pope, who had put together a six-lot block. Pope was also the only owner of an improved lot to take up a new property in 1695. The innkeeper enlarged this lot, and it passed to his daughter Frances on his death in 1703. This land appears in later records (and lot numbering schemes) in a prime waterfront location. The continuity of this block is a valuable aid in assessing lot number continuity in successive surveys.

### The Third Survey, 1696

The General Assembly met in Ann Arundell Town in May 1695 and again took up the question of a new town act. The assembly considered a proposal from the governor that commercial courts be established in ports. It also heard complaints from Oxford residents about the town's boundaries. The 1694 act had clearly specified the size of the town but not its boundaries. After a long debate on the power of the proposed courts, the Lower House proposed that the matter be deferred until the next session. The Upper House agreed, but insisted that Oxford's boundary problems be solved immediately.<sup>20</sup>

The resulting legislation contained several loosely related provisions. The boundaries of Oxford were specified and included the island and a hundred-acre common reserved for public lands. The town commissioners were to meet by the end of September to resurvey the town. Both Oxford and Ann Arundell Town were required to set aside town land for shipbuilding, and customs offi-

cially were again directed to establish a permanent presence in the two towns. Finally, in a nod to the reigning sovereign William III and the heir presumptive, Princess Anne, the assembly changed Oxford's name to Williamstadt and Ann Arundell Town became Annapolis.<sup>21</sup>

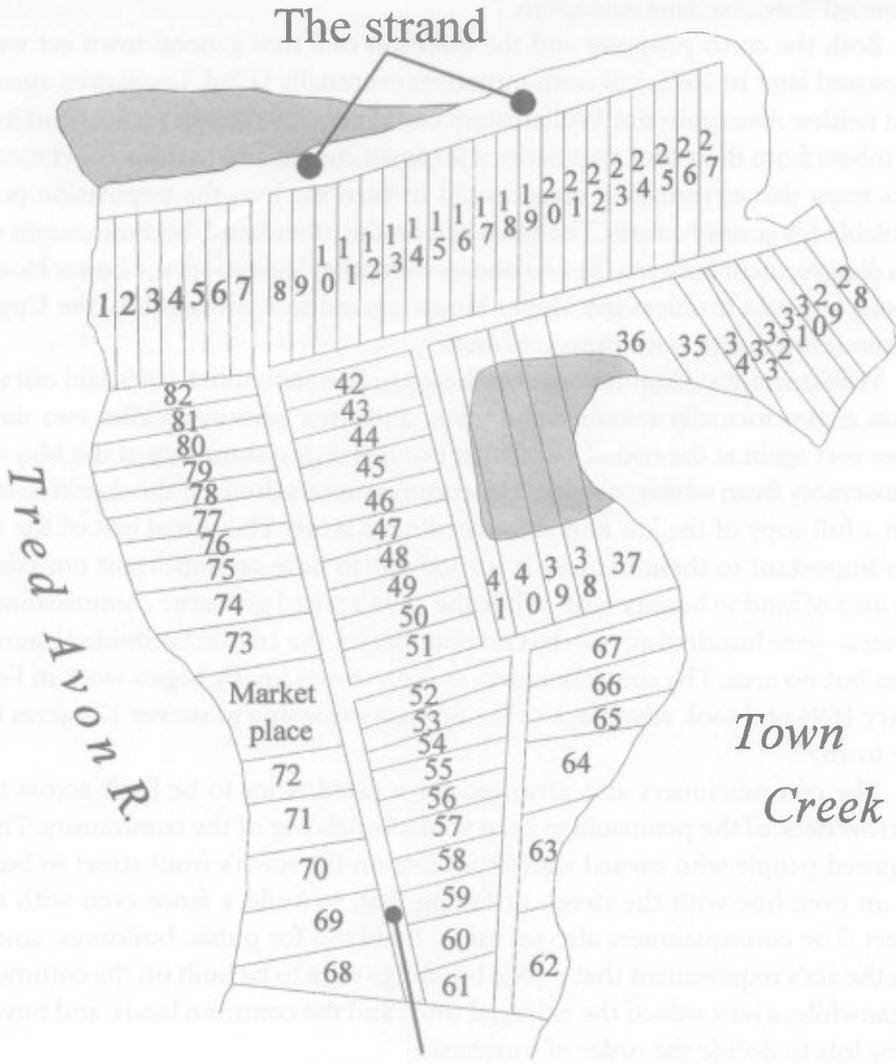
Both the court proposal and the question of a new general town act were discussed later in 1695, but both initiatives eventually failed. Legislators agreed that neither Annapolis nor Williamstadt could provide enough justices and jury members from their own populations for town courts, and to draw court members from the surrounding areas would in turn eat into the population pool available for county courts. The town act, on the other hand, became caught up in a disagreement between the two houses over other legislation: the Lower House would not pass it unless the Upper House agreed to a coinage bill; the Upper House refused, and both measures died.<sup>22</sup>

Williamstadt's commissioners gathered in late September 1695, laid out the main street, formally renamed the town, and then adjourned after two days. They met again at the end of December but had only a summary of the May act of assembly from which to work. The commissioners directed the sheriff to obtain a full copy of the law and adjourned once more. The actual text of the act was important to them because it turned out to have an important omission: the area of land to be surveyed. While the 1694 act had given the commissioners an area—one hundred acres—but no boundaries, the 1695 act provided boundaries but no area. The commissioners and surveyors finally began work in February 1696 and took advantage of the new act's wording to survey 124 acres for the town.<sup>23</sup>

The commissioners also arranged for a gated fence to be built across the narrow neck of the peninsula to keep wild animals out of the community. They required people who owned waterfront lots on the town's front street to build on an even line with the street, or failing that, to build a fence even with the street. The commissioners also set aside the island for public buildings, ignoring the act's requirement that public buildings were to be built on the common. Meanwhile, a jury valued the enlarged town and the common lands, and buyers drew lots to decide the order of purchase.

Just twenty-nine of the hundred lots were taken up under the third survey, probably because only previously unsold lots were available for purchase. Some individuals who had bought lots in 1695 also bought lots in 1696, but these appear to have been new purchases rather than certifications of existing holdings. John Pope, for example, bought one lot in 1696, not the seven that would be expected if formerly purchased lots had to be recertified. Continuity of ownership between 1695 and 1696 is difficult to determine, however, because some if not all lots were renumbered during the latter survey. Again, Pope's lot block provides a way to test continuity. Three lots bearing the same numbers as Pope's

# Tred Avon River



The high street

1 acre

0 500 feet

Scale

Marshy ground

N

Author's rendition of surveyor William Turbutt's plat map of Oxford drawn in 1707.

1695 block were taken up by three different people in 1696, and all were forfeited six months after purchase for their owners' failure to build houses on them. The most likely explanation for this is that lots were renumbered, not that Pope had given up three improved lots for resale, then reacquired them in time to leave them to his daughter.

Williamstadt/Oxford continued to prosper over the next ten years. The town was on a post route from Maryland's Potomac plantations to Philadelphia, and after 1699 trees on all Talbot County roads leading to the town were required to be emblazoned with a "W." Although it was not a courthouse town—Talbot County's courthouse was in the now-vanished town of York, on Skipton Creek north of modern Easton—any inns in Williamstadt/Oxford had to maintain twelve beds beyond the innkeeper's family's needs, as inns in Annapolis and in courthouse towns did.<sup>24</sup> (Other inns only needed four additional beds.) When Queen Anne's County was created from part of northern Talbot County in 1706, the old courthouse remained at the northern end of the county. Williamstadt/Oxford was discussed as a possible replacement before what is now Easton became the county courthouse site.

### **The Fourth Survey, 1707**

The next town legislation was prepared in response to instructions from the Commissioners for Trade and Plantations to Governor John Seymour in May 1705. Commending "towns, warehouses, wharves, and keys [quays]" as "very useful and serviceable in bringing the people to a more regular settlement and of great advantage to trade in the more expeditious lading and unlading of ships," the commissioners directed Seymour to propose to the General Assembly that eight towns be founded in the colony: three each on the Potomac and Patuxent Rivers and two on the Eastern Shore. Seymour referred the request to the assembly, which enacted it—with modifications—in April 1706. Included in the act was the entry "Oxford[,] formerly Erected into a port & Town."<sup>25</sup>

This and other town legislation often use the word "formerly" when referring to a previously surveyed town, which if read in the sense of "was once, but is no longer" might lead readers to think that the town in question had either been abandoned or was never settled. This study shows settlement in Oxford was continuous from the late 1660s through the town act period (and indeed to the present), so it is probable that other "formerly" erected towns were continuously settled too. This makes sense if one considers that the effect of the act was to purchase, subdivide, and sell town land, not to set up a continuing municipal entity. The "erection" of a town was an event, and to say that a town had been "formerly" erected meant that the event had occurred before, not that an attempt to create a town had failed.

The trade provisions of the new town act were similar to the 1680s legisla-

tion in their trade constraints. Shipmasters were required to load and unload in the new towns, and customs officials were required to actually live in them. The act also provided several positive inducements to those who wanted to live in towns. Town dwellers could trade in any goods, notwithstanding limitations imposed on other traders. Debts paid in towns were discounted. Merchants and artisans living in towns were exempt from public levies for four years, and foreign merchants and artisans could be made denizens of the province after four years of town living. Town merchants also had first pick of orphans seeking apprenticeships within each county.

The procedures for buying town land and surveying lots had changed little from earlier legislation. The owner of the tract had first choice of a lot, sales were limited to county dwellers for the first four months, and a one-lot-per-person limit was observed for the same period. New lot owners had a year in which to build a twenty-foot-square house, after which the lot was theirs except for a required quitrent. If a lot owner did not build within the allotted time, the lot was forfeited and could be taken up by someone else. Unsold lots reverted to the original landowner after seven years. The act protected the property rights of people who had bought town lots under earlier surveys by exempting them from the taking-up process.

The assembly departed from its instructions by ignoring the numerical limit on towns recommended by the Commissioners of Trade and Plantations: instead of eight towns, the assembly created forty-two towns at new and existing town sites all over the colony. Six of the forty-two towns were officially designated ports, although the law did not define this status. One of the colony's six ports was Oxford, which had quietly reverted to its original name sometime after the death of William III in 1702.<sup>26</sup>

Oxford's size and boundaries remained disputed eleven years after the enlargement of 1696. A supplementary town act passed in April 1707 provided, in addition to various clarifications and town redesignations,

that . . . forasmuch as the Land allotted for the Town and Port of Oxford in Talbott County by the first [1696] Laying out of the same Town did Containe one hundred twenty four acres but by the said recited Act made [1706] . . . there Is no more allotted for the same then [sic] one hundred acres of Land,

Be it therefore Enacted that the Town and Port of Oxford shall . . . be . . . Surveyed and Laid out according to the former plat and when so Laid out the Comissioners according to their discretion shall Leave out Twenty four acres of Land from the said one hundred Twenty four acres and the Lots remaining within the one hundred acres only shall be adjudged the Town and port of Oxford altho the same do not

Containe one hundred Lots to the End that the Lots already taken up and built upon may not be altered or Lessened.<sup>27</sup>

The 1707 act also dealt with unfinished business from the 1706 act by defining six port districts, one for each town named a port in the earlier act. Oxford was to serve Talbot County, the parts of Dorchester County on the Great Choptank and Little Choptank Rivers, and Kent Island. In addition, the act extended the 1706 law's time limit for building houses by a year "for want of Nailes" in the province. The act's final Oxford provision was to designate the town as the site of the new county courthouse, a clause that was never fulfilled.<sup>28</sup>

Thus instructed, the town commissioners met in July of 1707 to begin their work. Over the next two months, the commissioners had the town resurveyed, identified unoccupied lots, and sold as many of the lots as they could.<sup>29</sup> The process that they followed was similar to that followed by their predecessors in 1684, 1695, and 1696. Two lucky documentary survivals from this survey provide a remarkable amount of information about the physical layout of the town in 1707.

The first document, of course, is the detailed account of Oxford's early surveys that is the foundation of this study. The second is William Turbutt's plat of Oxford, made at the time of the 1707 survey.<sup>30</sup> The 1707 plan is smaller than the 124-acre 1696 plan, but beyond that its resemblance to earlier plans is unknown. Turbutt's survey did not include the island that was part of earlier surveys, although part of the island does appear on the edge of the plat. The survey also omitted the extensive common that had been a point of confusion in earlier surveys.

The 1707 commissioners took advantage of the survey to correct flaws in the plan, as they had in 1696. Both the strand and the high street were realigned slightly to avoid encroaching buildings. As the 1707 act acknowledged, the hundred-acre site could not include all of the lots laid out in the enlarged 1696 town, so Oxford in 1707 had only 82 lots. A place was set aside on the high street for a market and public buildings.<sup>31</sup>

The street plan itself was a grid of two north-south streets and two east-west streets, twisted slightly in orientation to adapt to the site. Many lots had direct access to the water. In addition, a strand on the north end of the town provided common shoreline access, following a town design practice that was common on the colonial Eastern Shore.<sup>32</sup>

Two areas marked in green on the Turbutt plat probably indicated low or marshy ground, and the surveyor avoided putting lots on this low ground at the west end of the strand. They did use the low ground on Town Creek and the lots lying on marshy ground appear to be slightly larger than the surrounding lots, perhaps in compensation. Lot shapes throughout the town varied significantly

to fit the peninsular site and its resultant crooked grid. As in 1696, some if not all lots were renumbered: later conveyances listed lots 32, 33, and 47 as the former lots 87, 88, and 30, respectively.<sup>33</sup>

The commissioners then identified forty-three lots that would be offered for sale. They thereby also identified the thirty-nine lots that were not for sale, presumably because they were already owned. When mapped on the Turbutt plat, these thirty-nine lots provide a rough picture of Oxford in 1707. Ownership does not necessarily imply occupation or improvement, but the requirement of the prior town acts that lots be built on penalty of forfeit creates a strong presumption that those who already owned these lots had built on them. Oxford in 1707 consisted of a nearly continuous line of settlement along the strand, a few occupied lots on the riverbank to the west, and a cluster of occupied lots at the mouth of Town Creek. The presence of vacant lot 14 on the strand seems unusual until its location in the street network is considered. The lot appears to be an extension of the street just south of it, possibly regarded by the 1707 commissioners as unnecessary for traffic circulation and thus available for resurvey and sale.

Having designated the lots that were to be sold, the commissioners then considered their prices. The 1706 act required those taking up lots to pay a percentage of the total value of the town land proportional to the number of lots they wanted, giving all lots the same price. All lots were not equally desirable, however, leading to discussions about how to give everyone a fair chance at the best lots. In earlier years, prospective buyers had drawn lots to decide who would get first choice.

In 1707 the commissioners initially took the same approach and set a fixed price of six hundred pounds of tobacco per unsold lot on the first day they met. By the time the surveying was completed two weeks later, they had changed their minds. The commissioners decided to set lot prices themselves, ranging from one thousand pounds of tobacco for the most desirable lots to two hundred pounds for the least. Prospective lot buyers would then be in competition only over those lots that they could afford—a result that was no doubt more comforting to wealthier lot buyers than to their less prosperous neighbors. The final result would be the same to the seller if all the lots were purchased: the average price of all forty-three lots was six hundred pounds of tobacco, which was the original individual lot price.

When mapped, the lot prices set by the commissioners provide clues about what they valued in town lot location. The most valuable new lots, at a thousand pounds of tobacco each, were lot 14 on the strand (the possible street conversion) and lot 42 behind the strand, located at an intersection that was already owned on the other corners. Thirteen lots fell in the next price tier at seven hundred or eight hundred pounds of tobacco each. These lots filled gaps

at the mouth of Town Creek and on the west riverfront. The lots on either side of the market and on the corners across the street from it also fell into this price category, which accounted for nearly a third of the total number of lots for sale.

Almost half of the forty-three lots cost five hundred or six hundred pounds of tobacco. All of the interior lots except the intersection lots fell into this middle category. Although none of these lots had the water frontage that made the exterior lots so attractive to earlier buyers, they had ready access to the strand at one end of town and the road to the rest of the county at the other. A small block of lots on the southern end of the creekfront also fell into this range, along with lot 36, an irregularly shaped lot near the earlier Town Creek lots that was partly covered by low ground. The last seven lots sold for between two and four hundred pounds of tobacco. Most of these lots were on the low ground next to Town Creek, and may have flooded periodically. The two lots squeezed into the far southeastern corner of the town also carried low prices.

Most of the lots were taken up over the next few days, and by the time new lot sales ended, only six lower-priced lots had not been sold. The long lot 41 in the center of the town may have been inconveniently narrow or too difficult to defend against encroachment from the public street on its long side without expensive fencing. The southeasternmost lot 62, small and irregularly shaped, also failed to sell, as did the block of interior lots closest to the town's southern boundary. The total price for all sold lots was 23,200 pounds of tobacco, a thousand pounds more than would have been collected if all lots had borne the same price.

Over the next few months at least ten of the newly purchased lots were resold, as lot owners changed their minds or attempted to turn speculative purchases into profits. Another six lots were forfeited by their owners as the one-year anniversary of purchase came and went without their building the required house on their property.<sup>34</sup>

Other lot owners did build on their lots, and then certified to the town clerk that they had fulfilled this legal requirement.<sup>35</sup> When these nineteen newly improved lots are mapped with the presumably improved lots that were held back from sale in 1707, an image of 1710 Oxford becomes visible. This map is coarser than the 1707 map: there is no absolute assurance that the lots held back in 1707 were improved, and there may have been improved lots in 1710 for which certifications have not survived. This suggests that newly improved property was usually close to longer held lots. The only gap on the strand was filled, as might be expected, and the unoccupied lots at the mouth of Town Creek were bought and built on. A few lots on the creekfront and on the riverfront sides were developed as well. The increase in the number of improved interior lots, from one to six, demonstrates that direct access to the water was not necessarily a determining factor in lot purchases by this time.

Between 1707 and 1710, the time during which the interior arrangement of

Oxford is best documented, the town had already existed for forty years. By 1710, in spite of the 1707 town act and the efforts of some of Oxford's inhabitants, the Talbot county court ordered that a new courthouse be built near the head of the Tred Avon River, where Easton is now. Oxford prospered and for the rest of the colonial period was an important Eastern Shore trading point before beginning a long post-Revolutionary War decline.

Oxford is representative of small places throughout the Chesapeake that, although not as large or as central to their regional economic systems as their English equivalents, nevertheless were noteworthy elements in the settlement landscape. Although Oxford is larger and better documented than most of the other towns of the Chesapeake during this period, like Snow Hill and Cambridge, it is emblematic of a settlement form that has not received adequate detailed, comparative, large-scale study.

The methods used in this study can help to provide insight into the internal structure of these small colonial settlements, but with limitations. First, plats, survey records, and conveyance records do not exist for all places, although they do exist for some. Even fragmentary records can be useful, however, as the descriptions of pre-1707 Oxford suggest. Second, the fact of ownership does not necessarily imply improvement, or even occupancy, although in the cases discussed here the presumption of improvement is not unreasonable. Land conveyances sometimes help by listing the buildings present on a conveyed property, and orphans' estate valuations not only list buildings but even construction materials and extent of deterioration. Such records are relatively scarce, unfortunately, which hinders large-scale studies. Third, the scale of resolution is necessarily coarse when the smallest dimensional unit is the lot rather than, say, the structures on the lot.

Nevertheless, it is far better than nothing. Oxford was indeed a settled town in the last quarter of the seventeenth century and into the eighteenth, almost in spite of legislative attempts to provide for its prosperity. That so much remains to be known about Oxford and the other small towns of the colonial Chesapeake—what they looked like, who lived in them, and how they interacted with the plantation system around them—is a challenge and an opportunity for historians and historical geographers. It is a challenge that can be met, in part, by carefully examining the colonial settlement system.

#### NOTES

1. To name only a few examples, Paul G. E. Clemens, *The Atlantic Economy and Colonial Maryland's Eastern Shore: From Tobacco to Grain* (Ithaca, N.Y.: Cornell University Press, 1980); Gloria L. Main, *Tobacco Colony: Life in Early Maryland, 1650–1720* (Princeton, N.J.: Princeton University Press, 1982); Darrett B. Rutman and Anita H. Rutman, *A Place in*

*Time: Middlesex County, Virginia 1650–1750* (New York: W.W. Norton & Co., 1984); Allan Kulikoff, *Tobacco and Slaves: The Development of Southern Cultures in the Chesapeake* (Chapel Hill: University of North Carolina Press, 1986); Lois Green Carr, Russell R. Menard, and Lorena S. Walsh, *Robert Cole's World: Agriculture and Society in Early Maryland* (Chapel Hill: University of North Carolina Press, 1991); Lorena S. Walsh, "Urban Amenities and Rural Sufficiency: Living Standards and Consumer Behavior in the Colonial Chesapeake, 1643–1777," *Journal of Economic History* 43 (1983): 109–17; Lorena S. Walsh, "Community Networks in the Early Chesapeake," in Lois Green Carr, Philip D. Morgan, and Jean B. Russo, eds., *Colonial Chesapeake Society* (Chapel Hill: University of North Carolina Press, 1988), 200–41; Lois Green Carr, "Diversification in the Colonial Chesapeake: Somerset County, Maryland, in Comparative Perspective," in Lois Carr et al., *Colonial Chesapeake Society*, 342–88; Christine Daniels, "'WANTED: A Blacksmith who understands Plantation Work': Artisans in Maryland, 1700–1810," *William and Mary Quarterly* (3d ser.) 50 (October 1993): 743–67.

2. Darrett B. Rutman and Anita H. Rutman, "The Village South," in *Small Worlds, Large Questions: Explorations in Early American Social History 1600–1850* (Charlottesville: University Press of Virginia, 1994), 231–72.

3. David R. Goldfield, *Cotton Fields and Skyscrapers: Southern City and Region, 1607–1980* (Baton Rouge, La.: Louisiana State University Press, 1982), 14. For detailed discussions of Chesapeake town legislation, see Edward M. Riley, "The Town Acts of Colonial Virginia," *Journal of Southern History* 16 (1950): 306–23; John C. Rainbolt, "The Absence of Towns in Seventeenth-Century Virginia," *Journal of Southern History* 35 (August 1969): 343–60; and John W. Reps, *Tidewater Towns: City Planning in Colonial Virginia and Maryland* (Williamsburg, Va.: Colonial Williamsburg Foundation, 1972), especially chapters 4, 5, 9, and 10.

4. Joseph A. Ernst and H. Roy Merrens, "'Camden's turrets pierce the skies!': The Urban Process in the Southern Colonies during the Eighteenth Century," *William and Mary Quarterly*, 31 (1974): 653–68. Ernst and Merrens found evidence of these functions in the countryside as well as in towns throughout the Piedmont and Tidewater. Two conclusions are possible from this finding: that urban activity does not need urban places, or that urban is not a satisfactory term or useful concept in discussing the colonial south.

5. Carville V. Earle and Ronald Hoffman, "Staple Crops and Urban Development in the Eighteenth-Century South," *Perspectives in American History* 10 (1976): 7–78. Also Carville V. Earle and Ronald Hoffman, "The Urban South: The First Two Centuries," in Blaine A. Brownell and David R. Goldfield, eds., *The City in Southern History: The Growth of Urban Civilization in the South* (Port Washington, N.Y.: Kennikat Press, 1977), 23–51. Carville V. Earle, *The Evolution of a Tidewater Settlement System: All Hallow's Parish, Maryland, 1650–1783* (Chicago: University of Chicago Department of Geography Research Paper No. 170, 1975); Joseph S. Wood, "Village and Community in Early Colonial New England," *Journal of Historical Geography*, 8 (1982): 333–46; Joseph S. Wood and Michael P. Steinitz, *The New England Village* (Baltimore: The Johns Hopkins University Press, 1997); Warren R. Hofstra and Robert D. Mitchell, "Town and Country in Backcountry Virginia: Winchester and the Shenandoah Valley, 1730–1800," *Journal of Southern History*, 59 (November, 1993): 619–46; Robert D. Mitchell and Warren R. Hofstra, "How do settlement systems evolve? The Virginia Backcountry during the Eighteenth Century," *Journal of Historical Geography*, 21 (1995): 123–47; and Charles J. Farmer, *In the Absence of Towns: Settlement and Country Trade in Southside Virginia, 1730–1800* (Lanham, Md.: Rowman & Littlefield Publishers, Inc., 1993). Robert D. Mitchell, "Metropolitan Chesapeake: Reflections on Town Formation in Colonial

Virginia and Maryland,” in *Lois Green Carr: The Chesapeake and Beyond—A Celebration* (Crownsville, Md.: Maryland Historical and Cultural Publications, 1992), 105–25.

6. This definition excludes lots created from a larger tract by a private person, which would not have independent legal identity but would have been identified as part of the original tract in subsequent conveyances, with cadastral bounds provided to distinguish one lot from another. (Cadastral descriptions were not included in conveyances of legally established town lots, which could be identified merely by number.) Such places were very rare in my study area on the lower Eastern Shore; the only example in the very well indexed land records of Talbot and Dorchester Counties is the small cluster of lots that were sold around the Talbot County courthouse near Pitt’s Bridge between its construction by 1712 and the establishment and survey of the town of Talbot, later Easton, in 1785. In other parts of Maryland, at other times, such lots would have to be considered. Joseph B. Thomas Jr., “Settlement, Community, and Economy: The Development of Towns on Maryland’s Lower Eastern Shore” (unpublished Ph.D. dissertation, University of Maryland, College Park, 1994), 98–104.

7. Edna Scofield, “The Origins of Settlement Patterns in Rural New England,” *Geographical Review*, 28 (1938): 652–63. Glenn T. Trewartha, “The Unincorporated Hamlet: An Analysis of Data Sources,” *Rural Sociology*, 6 (1941): 35–42; “The Unincorporated Hamlet: One Element of the American Settlement Pattern,” *Annals of the Association of American Geographers*, 33 (1943): 32–81; “Types of Rural Settlement in Colonial America,” *Geographical Review*, 36 (1946): 568–96.

8. Bill: Talbot County Court Land Records (Maryland State Archives, Annapolis, MSA C 1880) (hereafter TLR) A1:51. Proclamations, in William Hand Browne, ed., *Archives of Maryland*, 72 vols. to date (Baltimore: Maryland Historical Society, 1883–), 5:31–32 (1668), 47–48 (1669), 92–94 (1671).

9. The Herrman map has been widely reproduced and can be seen in Reps, *Tidewater Towns*, 95. The building conveyances are in TLR A1:150; A1:167; and BB2:12 and 33 (both BB2 conveyances refer to the same buildings). The suit is in *Archives of Maryland*, 54:566, 574–75.

10. *Archives of Maryland*, 7:609–19. On Maryland’s town acts, see Reps, *Tidewater Towns*, 65–116, and Thomas, “Settlement, Community, and Economy,” 56–84. On similar Virginia legislation, see Riley, “The Town Acts of Colonial Virginia,” and Rainbolt, “The Absence of Towns in Seventeenth-Century Virginia.”

11. *Archives of Maryland*, 7:615–19.

12. 1684 act, *Archives of Maryland*, 13:111–20; 1686 act, *Archives of Maryland*, 13:132–39; 1688 act, *Archives of Maryland*, 13:218–20.

13. For a discussion of the exercise of the power of eminent domain in colonial Maryland, see John F. Hart, “The Maryland Mill Act, 1669–1776: Economic Policy and the Confiscatory Redistribution of Private Property,” *American Journal of Legal History*, 39 (1995): 1–24.

14. *Archives of Maryland*, 7:613–15.

15. Samuel Chamberlaine Jr., *Early Records of the Town of Oxford 1684–1711* (hereafter ERTO), photostat copy at the Talbot County Free Library, 1–8. The description of the 1684 survey in Oswald Tilghman, *History of Talbot County Maryland, 1661–1861: Compiled Principally from the Relics of the Late Samuel Harrison, A.M., M.D.*, 2 vols. (Baltimore: Williams and Wilkins, 1915), 2:339–42, was based on the same records.

16. Oxford request: *Archives of Maryland*, 13:343. St. Mary’s City: *Archives of Maryland*, 57:348.

17. *Archives of Maryland*, 19:110–13.

18. Dates in the first three months of the year will be expressed here in modern practice; for example, the commissioners' meeting in February 1694/5 is dated February 1695.
19. ERT0, 10–30. For the parallel effort occurring at Ann Arundell Town, see Nancy T. Baker, "Annapolis, Maryland 1695–1730," *Maryland Historical Magazine*, 81 (1986): 191–209.
20. *Archives of Maryland*, 19:149, 163–65, 175–76, 178–80, 190, 192.
21. *Ibid.*, 19:211.
22. *Ibid.*, 19:224, 227–28, 232, 245, 290, 302, 339.
23. *Ibid.*, 19:211. ERT0, 30–43.
24. *Archives of Maryland*, 20:246, 22:475–77, 518–22.
25. Royal instructions: Leonard Woods Labaree, ed., *Royal Instructions to British Colonial Governors, 1670–1776*, 2 vols. (New York: D. Appleton-Century Co., 1935; repr. New York: Octagon Books, Inc., 1967), 2:539, §768, "Building Towns and Ports in Maryland". Text of act in *Archives of Maryland*, 26:636–45.
26. The town was still referred to as Williamstadt in legislation as late as 1704. *Archives of Maryland*, 26:305.
27. *Ibid.*, 27:162. The text of the act appears at 27:159–68.
28. *Ibid.*, 27:162, 164.
29. ERT0, 44–67.
30. William Turbutt, *A Platt of the Town & Port of Oxford, Resurveyed Anno. 1707*. The original is held by the Oxford Museum. I am grateful to Betty P. Moll for allowing me to study it. The plat has been reproduced in, among other places, Repts, *Tidewater Towns*, 110; Dickson J. Preston, *Oxford: The First Three Centuries* (Easton, Md.: Historical Society of Talbot County, 1984), 38; and Christopher Weeks, *Where Land and Water Intertwine: An Architectural History of Talbot County, Maryland* (Baltimore: Johns Hopkins University Press, 1984), 48.
31. ERT0, 45–47.
32. All of the nine colonial town plans that survive or can be reconstructed for Talbot, Dorchester, Somerset, and Worcester Counties either had formal strands or had lot boundaries that excluded shorelines. For the eight plans besides Oxford's, see Thomas, "Settlement, Community, and Economy," 134 (Snow Hill), 145 (Cambridge), 160 (Doncaster), 187 (Vienna), 200 (Islington), 208 (Plymouth), 219 (Green Hill Town), and 233 (Princess Anne).
33. ERT0, 56–57.
34. *Ibid.*, 55–63.
35. *Ibid.*, 59–60, 62–67.



## Portfolio

# Small Town Maryland

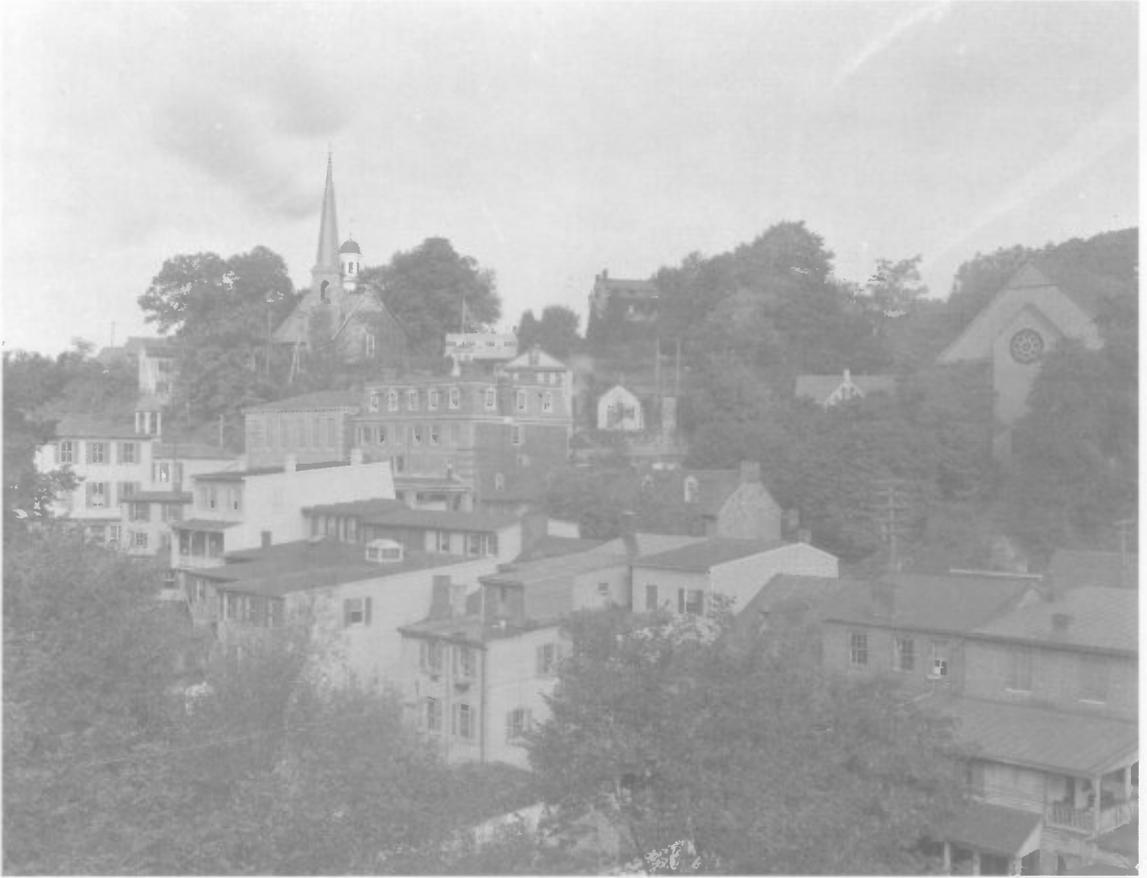
What follows is a sampling of some of Maryland's small cities and towns in photographs taken between 1910 and 1940. The roads and main streets are in many cases strikingly similar. All evoke nostalgia for quieter days. We include explanations of their names from Hamill Kenny's *The Placenames of Maryland, Their Origin and Meaning*, currently being reprinted by the Press at the Maryland Historical Society.

P.D.A./R.W.S.

*Left: Annapolis, named for Anna Stuart (1655–1714), later (1702) Queen Anne of England. Earlier names were Providence (from the Puritans, 1649), Town Land at Proctor's (from Michael Proctor, an early settler), and Anne Arundel Town (for Anne Arundel, wife of Cecil Calvert, second Lord Baltimore). Below: Aberdeen, Harford County. The name is attributed to Mr. Winston, of Aberdeen, Scotland, who settled alongside the railroad and was the first postmaster.*







Above: Ellicott City, Howard County. Earlier names in 1797 were Ellicott's Mills and Ellicott's Lower Mills. The present name is from John, Joseph, and Andrew Ellicott, who bought water rights in 1774 and transported their milling machinery from Philadelphia to Elkridge Landing. Founder of the family Andrew Ellicott Sr., a Quaker, had emigrated in 1730 from Devonshire, England, to Bucks County, Pennsylvania.

Left: Crisfield, Somerset County. A town on the Little Annesmessex River surveyed in 1683 and first known as Annesmessex and later as Somers Cove. The present name is for John W. Crisfield, founder of the Eastern Shore rail system. He is said to have fallen off a gangplank into the river during celebrations in 1866.



*Oakland, Garrett County. Reflecting the fact that it is situated near the Youghiogheny River and its glades, Oakland's earlier names were Yough Glades, Yox Glades, Armstrongs (after William Armstrong, postmaster of Yough Glades), Armstrongs in the Green Glades, and perhaps Green Glades.*



*Pocomoke City, Worcester County. Currently named after the river on which it is located, the town's earlier names were Stevens' Ferry (1670), Meeting House Landing (1683), Warehouse Landing (1700), Newton (1780), and Pocomoke (1878).*



*Salisbury, Wicomico County. Laid out on a spot called Handy's Landing in 1732, the town was named after Salisbury, England. Many large landowners emigrated from the vicinity of the English city.*



*Middletown, Frederick County, eight miles west of Frederick. Site of a post office in 1834, legend holds that an English gunsmith "staked out a field near the west end of the present town around 1710."*



*Henry Barnes came to Baltimore in 1953 and streamlined the city's clogged streets with an organized and efficient system that included timed traffic lights and one-way streets. (Baltimore Sun.)*

## The “Barnes Dance”: Henry A. Barnes, Thomas D’Alesandro, and Baltimore’s Postwar Traffic Pains

MICHAEL P. MCCARTHY

In Baltimore of the 1950s, traffic director Henry A. Barnes and Mayor Thomas D’Alesandro Jr. were a study in contrasts. With his bow ties, rumpled suits, and a cigar or pipe in hand, Barnes might have passed for a professor or inventor. (He actually did some inventing, including an improved version of an electronic traffic controller.) D’Alesandro was more dapper in appearance. With a pencil mustache and tailored suits, a handkerchief in the pocket of the jacket, he looked like a successful insurance broker, which he had been for many years before making politics his full-time job.<sup>1</sup> There were other differences. Barnes was brash and a small town boy from upstate New York; D’Alesandro was more reserved and a native of Baltimore’s Little Italy, where he still lived. But the similarities were far more important. They took their civic duties seriously, yet enjoyed public life and all the speech-making and schmoozing that was a part of it—welcome opportunities, in their view, to promote programs and win support. It was a good relationship, with D’Alesandro running political interference for Barnes. Indeed that had been part of the hiring agreement, Barnes having learned from experience that bold traffic management frequently led to bureaucratic back-stabbing.

Traffic engineers were trained to keep vehicles moving by improving signage, the timing of traffic lights, and the like. It was still something of a new field in the 1950s, even though it had been around since the 1920s. For many years cities had been reluctant to hire them; most continued to rely on their police departments to handle the job. But Barnes changed that with impressive results at Flint, Michigan, during and shortly after World War II, and later in Denver.<sup>2</sup> With his gift for promotion, Barnes soon had himself and traffic engineering in high demand.

D’Alesandro and Barnes first met in the spring of 1953, when the mayor invited him to Baltimore to do some consulting. The city was then still relying on a police department that was struggling to cope with increased traffic. Impressed with Barnes in person and with his report, D’Alesandro offered him the

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*Barnes discusses his traffic plans for Pratt Street with Mayor Thomas D'Alesandro. (University of Maryland College Park.)*

opportunity to implement his own recommendations. For Barnes, it was a tempting new challenge in a city that had twice the population of Denver. D'Alesandro promised to create a new traffic department that would give Barnes a good deal of autonomy and assured him ample funding. To make the decision even easier, D'Alesandro offered Barnes a salary that was more than double what he was making in Denver (\$18,000 compared to \$8,700), a princely sum three thousand dollars more than D'Alesandro's own compensation.<sup>3</sup>

As traffic director, Barnes did everything from supervising statistical studies to keeping an eye on crews that prepared new street signs and painted lanes on the pavement. The job did not require a college degree, fortunately, since Barnes had none. He did not even possess a high school diploma, having dropped out of school in the eighth grade, to help his struggling family and because he had no interest in formal schooling. But he was forever fiddling with things mechanical and electrical. And if not a student in his earlier years, Barnes became one later on, with much night school study, most notably at General Motors' highly regarded Institute of Technology at Flint while he was working at the Chevrolet plant there in the 1930s.



*“The Barnes Dance” allowed pedestrians to cross from any corner of an intersection. (Maryland Historical Society.)*

In his years in Baltimore, from 1953 to 1961, Barnes was one of the most competent civil servants, but hardly the most loved with all the “no parking” zones, one-way streets, and other restrictions he imposed. Ironically, Barnes is best remembered not for his traffic achievements, but for his novel pedestrian crossing scheme, which was appropriately enough nicknamed “the Barnes Dance.” For a brief period, the traffic lights all went red at the same time so that pedestrians could cross at all four corners, or cross diagonally if they so desired. As Barnes himself pointed out, he had not invented the idea. Kansas City and Vancouver, among other North American cities, had already experimented with one or two downtown intersections, but in Denver, Barnes was the first to try it out on all downtown streets. It was soon widely adopted in other cities in America and around the world.<sup>4</sup>

In Baltimore, the Barnes Dance was first introduced in October 1953 in the industrial district of Brooklyn, at the intersection of Hanover Street and Patapsco Avenue. It was used on a temporary basis, when the nearby construction of a railroad overpass caused problems for pedestrians.<sup>5</sup> By November 1954 the system had been installed at seventy intersections. Most were downtown, but some

were in outlying neighborhoods. Barnes, for example, put one near Public School 64 in Forest Park in West Baltimore to help students negotiate a particularly busy spot where four streets converged.<sup>6</sup> The innovation was not without problems: adding the “all red” sequence, for example, could create back-ups if vehicular traffic was heavy. This was increasingly the case, and most cities, including Baltimore, eventually eliminated the Barnes Dance. But not entirely. Some four-way pedestrians’ lights are still around in the Baltimore area. You can find one, for example, at the corner of Loch Raven Boulevard and Putty Hill Road in Towson in Baltimore County. And across the Pacific, in downtown Auckland, New Zealand, pedestrians are also still doing the Barnes Dance.

Barnes is also well remembered by many old-timers for some ideas he did not put into effect, such as moving the Flower Mart. This one-day fund-raiser of the Women’s Civic League had been held every spring since 1911 in Mount Vernon Place, where the busy intersection of Charles and Monument streets was partially (and sometimes completely) closed for several hours. Barnes was concerned about the traffic problem and asked if the Women’s Civic League could find another site. When the ladies refused, Barnes suggested that they present him with a large number of signatures to show support for the Mount Vernon site.

But a petition drive proved unnecessary after Barnes made his first visit to the Flower Mart.<sup>7</sup> In a letter to Mrs. C. Sewell Weech, the president of the Women’s Civic League, Barnes said he found some traffic problems but not enough to merit making any changes in location. What was surprising was Barnes’s warm response to the ambiance of the Flower Mart. The scene at Mount Vernon Place “was one that could be duplicated at few places in America and perhaps not many places in the world.” This important annual event should stay right where it is, he said.

I cannot help but admit that the sight of George Washington smiling benignly on pinch-bespectacled ladies in mink and bewhiskered gentlemen along with urchins munching contentedly on peppermint sticks with lemon, the scent of flower-covered booths, gas-filled balloons and tasty pastries, displayed in harmony with the antiquity of the surroundings, was certainly such as to melt the iron band which is supposed to encase the heart of every traffic engineer.<sup>8</sup>

Admittedly this could have been a bit of satire—it is highly unlikely that the folk attending the Flower Mart were as romantic in appearance as Barnes portrayed them—but the sentiment may have been genuine. In his autobiography, Barnes describes, somewhat painfully, migratory years as a youngster when his family moved from New York to North Carolina and then to Florida in something of an East Coast version of the Joads in John Steinbeck’s *Grapes of Wrath*.

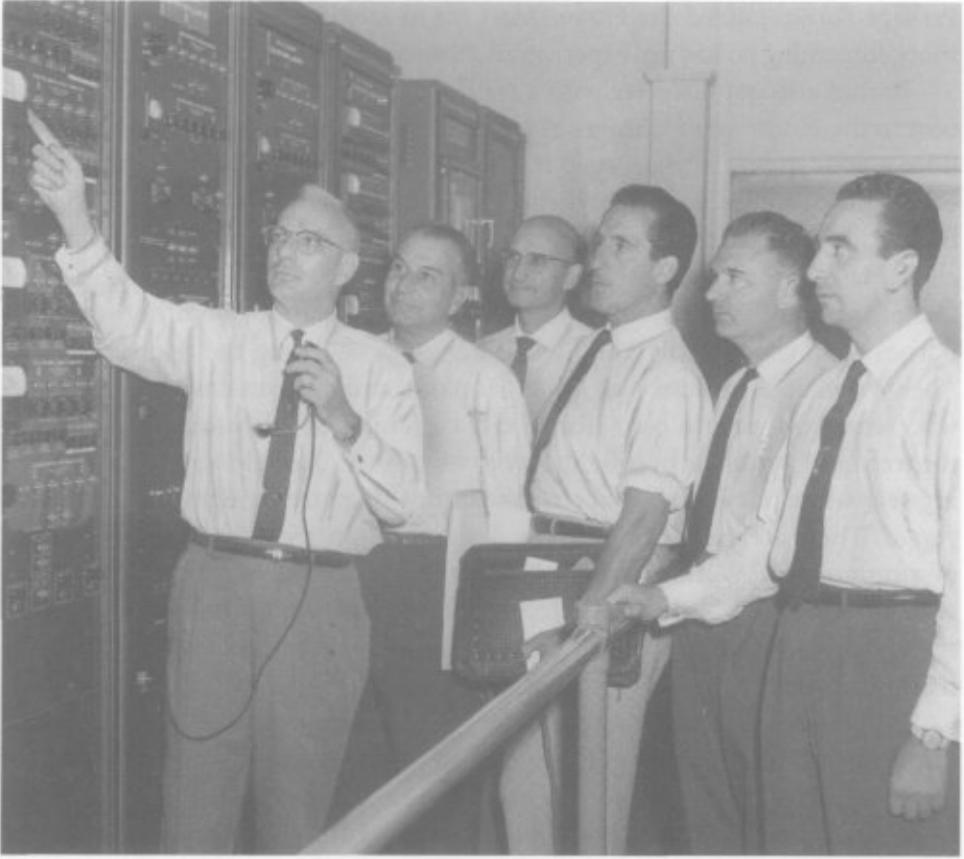
Perhaps Barnes saluted the Flower Mart for its continuity and deep community roots, something he had not experienced growing up. In any case, a graceful retreat.

Barnes also got nowhere with a traffic plan for North Charles Street, adjacent to the Homewood campus of Johns Hopkins University. He wanted to reduce a wide grassy median strip in the middle of Charles in order to add another lane of traffic. But twenty-nine linden trees on the median would have to be cut down to make way for the new lane. The *Baltimore Sun* reported that an elderly lady in the neighborhood “just sat down and cried” at the thought of the loss of the trees. Barnes said he “almost cried too,” but saw no other solution.<sup>9</sup> Barnes soon changed his mind when he saw how strong the opposition was. Abel Wolman, a professor at Johns Hopkins and a prominent civil engineer who served on various blue-ribbon city commissions, also sought to preserve the trees and wrote the president of the city council. He did so again the following year when he became concerned that the linden trees might still be endangered. “There are more things to the design of a city than the rapid movement of automobiles,” Wolman wrote. He sent a copy of his letter to D’Alessandro with a note saying, “I dislike pestering you with these things—but I have very strong feelings on this subject.” Once again, Barnes assured everyone that the trees were safe.<sup>10</sup>

Barnes gained at least a partial victory in that same neighborhood in a milder dispute over some statuary in the middle of Charles and 34th streets, in front of the university’s main entrance. The statue in question was a bust of Johns Hopkins situated on a tall pedestal flanked by figures representing the university and the hospital. The Municipal Art Society had commissioned prominent local artist Hans Schuler to create the sculpture in honor of Hopkins, and the memorial had stood on that spot since 1935.

In his 1953 consulting report, Barnes had recommended that the city “eliminate statues and other street obstacles from the center of major thoroughfares. These may be beautiful, but they cause accidents.”<sup>11</sup> Barnes had little trouble convincing the university to move the memorial, in no small part because two firemen had been killed in a collision at the spot in June 1952, when two fire trucks attempted to enter the campus from different directions. Each had its view of the other vehicle blocked by the memorial. University officials picked an alternate sidewalk location on the edge of the campus at 33rd Street, where it could still be seen by passersby. This appeared to be a successful compromise, except to Paula Schuler, the sculptor’s wife, who asked the mayor to leave the memorial at its original location. If any changes had to be made, she suggested a traffic circle around it. Alas, D’Alessandro said, he felt it necessary to “accept the advice of my traffic expert and engineers.”<sup>12</sup>

When Barnes came to Baltimore, auto registrations were skyrocketing, the result of post-World War II affluence and the desire of more and more residents



*Barnes shows off his new traffic computer. The system went on line in 1957 and was the largest of its kind at the time. (University of Maryland, College Park.)*

to buy automobiles. Commuters preferred the car to streetcars and buses, adding to downtown congestion. The number of trucks also rose as shippers began to favor that mode of transport over railroads. All this traffic rumbled through Baltimore's streets, since the Baltimore County beltway and the Jones Falls Expressway (still in the early phases of construction) were not yet open, and the federal legislation that funded Interstate 95 and the rest of the new expressway system would not pass until 1956.

In his consultant's report, Barnes had stressed the positive. Yes, downtown Baltimore had many narrow streets, but with the possible exception of Salt Lake City, all cities faced the same problem. Baltimore was better off than comparable cities such as Philadelphia or Boston, where there were even more narrow streets. Outside downtown, Barnes said the outlook was bright, with many good thoroughfares, "which, if properly controlled and regulated," would well serve the city's needs "for many years to come." What the city needed was "modern

traffic control methods and regulations” to move people and merchandise. In his view, “the task of solving this problem did not seem at all *hopeless*, or even *too terrifically expensive*.”<sup>13</sup>

Once in office, Barnes quickly began to improve signs and other basics such as painting more lanes on streets. (At the time, lines were only at the intersections.) He also added more one-way streets (an innovation in Baltimore that preceded him) while reversing some (Charles and St. Paul) to create better traffic flow.<sup>14</sup> Additionally, he replaced old traffic lights and added more at dozens of busy intersections. Barnes also greatly increased the use of phones and radios for dispatching work crews when, for example, a traffic light needed repair.

A longer-term project was a system that could monitor the timing of lights at the city's major intersections from a computer facility at the traffic bureau's headquarters on East Pratt Street. This took time, money, and the largest computer of its kind. Housed in sixteen steel cabinets, each about nine feet high by four feet wide and bristling with rows of lights, gauges, and switches, the computers—eight altogether—lined the side of the operations room like a phalanx of electronic warriors. (The down-sizing of computers was still a few decades away.) In the first phase, four hundred of the thousand or so intersections that had traffic lights were linked into the system.

The start-up, in December 1957, had all the extravagance of an opening night in Hollywood, with much advance publicity and a room full of reporters on hand to watch the mayor press the activating button.<sup>15</sup> Barnes always made effective use of the media to promote his traffic programs. The newspapers liked him for the colorful copy he provided, as did the local radio and television stations, where he was a frequent guest on news programs, with even a radio call-in show of his own in the early years—Friday nights on WBAL.

Barnes also met with civic groups of all kinds, from the high-powered downtown business organizations to informal neighborhood associations, from Kiwanis Clubs to the St. Thomas Holy Name Society and the Baltimore Hebrew Congregation. In his first six months on the job he spoke to more than sixty different groups,<sup>16</sup> an impressive but not surprising figure, given his demand as a speaker. A born raconteur and a master at self-deprecating humor, Barnes saw these speaking engagements as an important way to sell his programs directly and to get the understanding and cooperation that was vital for success. “It is one thing to have a plan that will satisfactorily operate,” he said. “It is another thing, however, to acquire public support for an idea. Without public support many excellent plans are predestined for the wastebasket.”<sup>17</sup>

Barnes enjoyed playing the role of a maverick. When bureaucrats said he could only have painted walls in his office, Barnes picked wallpaper instead, with antique autos as the design. (The bureaucrats fumed, but the auto wallpaper stayed up.)<sup>18</sup> Barnes was also something of showman out in his city-owned



*Henry Barnes in his black Buick with the two-way radio by which he kept in contact with work crews. (Baltimore Sun.)*

car, a black Buick, equipped with a two-way radio and recording equipment that Barnes used for dictating memos on street problems that needed fixing.<sup>19</sup> The trunk of the car had boots, broom, a shovel, and an array of tools so he could help his crews in an emergency. Barnes called the gear “symbolic as well as

practical," since it was infrequently used.<sup>20</sup> But it did reflect his "hands on" philosophy and close rapport with his crews, Barnes having done such work himself in earlier years.

### **Parking Issues**

Parking was part of the traffic problem because curb space could be used for additional lanes of traffic. Barnes, faced with narrow streets and a growing volume of traffic, greatly increased the "no parking" restrictions downtown. More "No Parking" signs were also added to streets like St. Paul, Charles, and Calvert, which were used by commuters between downtown and suburban neighborhoods. Barnes also introduced parking meters to Baltimore. Merchants preferred them because they discouraged all-day parkers and made more spaces available for customers. City officials welcomed the extra income and the purchase terms: vendors usually provided the meters free, allowing the city to pay off the costs with the incoming revenue, so that the meters soon paid for themselves.

The gadgets had been first introduced in Oklahoma City in 1935 by Charlton C. Magee, a local entrepreneur who gained support by touting their virtues while wearing his other hat, that of newspaper editor. By the early 1950s, nearly every major city in the country except Baltimore had adopted meters. Even Baltimore County had them, with the first meters installed in Towson in July 1953.<sup>21</sup> Mayor D'Alesandro preferred his off-street parking program, which offered low-cost loans to help private operators buy properties and build garages.<sup>22</sup>

Not surprisingly, the garage operators opposed meters since they saw them as a competitive threat. Barnes kept clear of any battles with the off-street parking lobby. He stressed the revenue potential for the city, and hoped that it would go exclusively to fund traffic department needs. This unfortunately did not happen. Barnes finally won over D'Alesandro, and the first meters were installed in November 1955 in the city-owned parking lots along Light Street south of Pratt.

With the exception of commuter lots like the one on Light Street, meters at first were installed only on streets in outlying shopping districts, to assist those merchants. In downtown, the "no parking" policy prevailed, to keep traffic moving. Shoppers could use off-street parking, but the small merchants in particular felt it was a serious disadvantage not to have some parking in front of their stores at a time when they were seeing sales decline in the face of competition from shopping malls. Ernest White, the owner of the Marco Polo Shop, a jewelry store at 109 West Saratoga, complained to D'Alesandro in 1955. "As you may have noticed," White said, "Charles street, one of the finest shopping streets in the country, is becoming a ghost street, with only a fraction of the foot traffic it used to have, and more and more stores vacant as the blight forces old stores out of business, or to move to the county, with consequent loss of revenue to the city."<sup>23</sup> White urged the adoption of meters as a way of bringing back shoppers to downtown.

White and other businessmen petitioned for meters on the block, but no action was taken. A year later White complained again to the mayor about the lack of meters. He said Barnes seemed interested only in keeping traffic moving downtown. White's letter was forwarded to Barnes, who replied that it was "simple common sense" to see meters could not be put on that block of Saratoga because all lanes were needed for traffic and delivery trucks. As for White's criticism of fast-moving traffic, Barnes felt that was actually a help to merchants. "After all, if people cannot travel freely about the city, particularly in the downtown area, they will most certainly expand their shopping interest to the new centers being erected elsewhere."<sup>24</sup> White replied that "The expansion of shopping interest in the new centers has already taken place. Indeed my whole purpose in advocating easier parking is to stem this disastrous tide." In White's view, "parking meters would be an invitation to the Baltimoreans who now shop in the counties to return to the city."<sup>25</sup>

### Truck Routes and Mass Transit

When Barnes arrived in Baltimore, the city had truck routes but without any police enforcement. Vehicles of all sizes were free to rumble through residential neighborhoods, like lower Roland Park along University Parkway near the Homewood campus of Johns Hopkins. In 1953, a homeowner told Barnes that a few years earlier the truck traffic on University Parkway had not been excessive, but now it was "almost unbearable because of the noise, dirt and vibration caused by the constant passing of heavily loaded trucks."<sup>26</sup> Barnes banned heavy trucks from University Parkway as he did for dozens of other residential neighborhoods around the city.

But where to put the trucks? Barnes found himself forced to use the main cross-town truck routes that already had heavy traffic. Not surprisingly, he got complaints, particularly from residents on North Avenue, which was the cross-town truck route for Route 1, then the main interstate highway along the East Coast. They were especially unhappy because Barnes also gave North Avenue all the traffic from Route 40—another major highway—when he shifted it northward from its old Orleans-Franklin-Mulberry corridor, to ease traffic in midtown.

Within two weeks of the changeover on December 1, 1954, hundreds of North Avenue property owners had signed a petition complaining about the increased traffic. One of them was Morris L. Cooper, a pharmacist at Park and North Avenues, who blamed the trucks for all the damage in the neighborhood—cracked plate glass windows in his store and in the Acme supermarket next door, as well as broken water mains and gas pipes. "Are you going to sacrifice our lives and property . . . just to satisfy the route of trucks?" he asked the mayor.<sup>27</sup>

Cooper may have exaggerated about some of the damage—city officials said

there had been no problems with the water mains along North Avenue—but his unhappiness reflected the mood of residents in the public discussions that followed. Barnes stood by his decision. North Avenue had long been an interstate corridor, he said. At sixty feet, the roadway was also much wider than Orleans and the other streets on the previous through route for Route 40. Those streets averaged around thirty feet, which was very narrow for two-way truck traffic. Yes, North Avenue had many apartments over stores, but surveys by his department showed that the old Route 40 corridor had more rowhouses than stores, and as a result, more residences (1,719 to 1,325). What was he to do? “You can’t get trucks through Baltimore without going by someone’s house and the issue was simply of finding a route where the least damage was done,” Barnes said.<sup>28</sup>

Reisterstown Road became a similar headache for Barnes when he made it the main truck route through northwest Baltimore. Like North Avenue, it had long been a commercial corridor, indeed even longer, Reisterstown Road having been a main road to Western Maryland and Pennsylvania since colonial days. Even so, the residents were unhappy with the extra traffic and growing number of accidents. A. Francis Ritota, the president of the Reisterstown Road Improvement Association, wanted the city to ban large trucks, but Barnes said that was not possible. The courts had ruled that any prohibition along those lines would violate interstate commerce statutes.

“There are no other routes available over which such traffic can be directed,” Barnes told Ritota.<sup>29</sup> This was not altogether true, as he admitted to another Reisterstown Road area resident. Trucks could use Park Heights Avenue, but Barnes felt “it would bring the same complaints,” and no good route was available to transfer the downtown truck traffic to Park Heights Avenue from Reisterstown Road.<sup>30</sup> A headache, to be sure. But at least there was a bright side, as Barnes pointed out. Much of the truck traffic would move to the Baltimore County beltway when that road was completed. The Jones Falls Expressway would also help relieve congestion by taking truck traffic off Reisterstown Road, and lighten commuter traffic as well.

Traffic congestion downtown was largely a result of too many people driving to work. But how to woo back them back to mass transit? Barnes felt that speed was the most important factor. In a report for Mayor D’Alessandro in 1958, Barnes surveyed the possibilities. At an approximate forty miles an hour for rush hour speeds, monorail was certainly fast enough, but it was still in the experimental stages, no city yet having created a system extensive enough for commuting. (Seattle was then considering a short monorail line, which it later built, to connect its 1962 World Fair Grounds with downtown.)<sup>31</sup> Subways were just as fast as monorails, and they were a proven technology, but Barnes said they were too expensive for Baltimore in the absence of federal funding programs.

Barnes also rejected the use of light rail on existing rail rights-of-way be-

cause they did not go through the main residential districts in the suburbs. Parking space was also scant along those lines. This meant commuters would have to park their cars at a satellite lot and then get to the train station before heading downtown. This constituted an “interrupted ride” and was not popular, Barnes said.<sup>32</sup> Given the high cost of subways, in his view, the only practical solution was a system of roadways for high-speed buses. In the suburbs, these “busways” would rely on separate bus lanes in the median strip of expressways. Downtown, they would connect to elevated roadways. The downtown busways might run above a few main streets or over narrower alley streets, with one-lane operation that could be reversed as rush hours changed. In effect, he proposed a rapid transit system for buses at the speed of a monorail or subway, at much less cost.

The press was intrigued with the idea. An elevated busline, protected from the elements by a plastic canopy, might run down Howard Street, reminiscent of the old Guilford Avenue elevated.<sup>33</sup> But the busway died aborning, in large part because a new downtown bus terminal never materialized. It was to be part of the downtown Charles Center urban renewal project, with Trailways and Greyhound as major tenants providing the rental income to subsidize the local bus operation. Trailways, though, built its own terminal on Fayette Street, and Greyhound did not want to move to a new location. And so a Charles Center planning report in 1961 concluded that there were not enough local buses or passengers to justify “an elaborate and expensive underground terminal.”<sup>34</sup>

What about streetcars? Not surprisingly, Barnes wanted to phase them out completely. The slow speed was just one of their liabilities. Unlike a bus, they had no maneuverability in traffic. Power failures or mechanical breakdowns left the cars immobilized in a single file. Routes could not be changed easily since that required laying more rails. (Buses only had to publish a new route map.) Streetcars were also expensive to purchase and maintain. The catalog of sins was thick from a traffic engineer’s perspective.

Streetcar buffs look back at earlier decades with nostalgia. But from an operational standpoint, particularly on new routes into expanding suburban districts where traffic might be light, the transit companies early on saw the virtues of buses. By 1929, in fact, there were nine bus lines in the city, among them one up Charles to University Parkway and another that went up Mount Royal from Charles to Druid Hill Park, and more of the same in the 1930s.

A dramatic reversal took place during the World War II years, with a great increase in streetcar riders. But gas and tire rationing were the reasons behind the surge, combined with the influx of industrial workers who used the streetcars. (Old streetcars were put back into service and new ones added. Streetcars, unlike autos, had been kept in limited production.) After the war, when given a choice, riders preferred the new buses. They were faster, and air conditioning gave them a distinct advantage over streetcars in Baltimore’s sticky summers. In



*Streetcars on Baltimore Street in West Baltimore, in the 1940s. Tie-ups like this were a factor in the shift to more nimble buses. (Baltimore Streetcar Museum.)*

October of 1946, the Public Service Commission approved plans to convert seventeen lines to buses, thus beginning the gradual phasing out of streetcars. In this, Baltimore followed the trend everywhere, as cities sought to retain passengers by offering a better ride and to save money by means of the more efficient operation that buses provided.

By the end of the 1950s, buses had replaced all except two of Baltimore's streetcar lines: the Number 8 that went between Catonsville and Towson via downtown, and the Number 15, which also went through downtown in an east-west direction between Belair Road and Garrison Boulevard. Both were a source of grief for Barnes because their tracks were on two of the busiest streets downtown—Fayette and Baltimore Streets—and the streetcars frequently caused traffic delays. They also went through Charles Center, which was then touting the accessibility it would offer commuters as well as parking amenities. (Big garages were planned under its plazas.) Fayette and Baltimore Streets were scheduled to become one-way to speed up traffic, but that was possible only when those streetcar lines were gone.



*A streetcar on Fayette Street passes underneath the new Hamburgers store in the Charles Center urban renewal district in 1963. This was one of the last streetcar lines in the city. It was switched to buses later in the year. (Baltimore Streetcar Museum.)*

Unfortunately for Barnes, the city did not own the streetcars. Mass transit was in the hands of the Baltimore Transit Company (BTC), a privately owned corporation, that was part of National City Lines, a big holding company that ran transit lines in Los Angeles, St. Louis, Miami, and many other cities—as

many as forty-six lines in the late 1940s. Many have blamed National City Lines for the disappearance of the streetcar across the nation, claiming that it conspired with General Motors, the bus manufacturer. To be sure, National did have close ties with GM as a supplier, but the purchases were based more on imperatives of a changing market than they were on any enmity toward the streetcar.<sup>35</sup> Barnes has also been frequently blamed for having single-handedly ended the streetcar era in Baltimore, but the BTC replacement program in fact had been well underway before Barnes arrived. More than twenty lines were switched to buses before 1953 compared to six during Barnes's tenure.

A fondness for buses notwithstanding, the BTC was in no rush to convert the last two lines. They were making a profit, and it would cost over three million dollars to buy around one hundred new buses to replace the streetcars. All the cars on the lines were the big fifty-four-passenger Presidents Conference Cars (PCC), so-called because they were based on uniform standards established by the industry in the 1930s. The PCC cars were luxurious in comparison to earlier ones—they had good lighting and plenty of aisle space (but no air-conditioning) and were popular with riders.<sup>36</sup> They were also of relatively recent vintage (built between 1939 and 1944), with many years left on their minimum service life of twenty-five years.

What would it take to get an agreement? The transit company wanted some break in its taxes. Over the years, the city had not been shy in taxing streetcar lines. A park tax, for example, was something of a sales tax on each rider and dated from 1860 when streetcars had a big business hauling Baltimoreans to the city's parks. The park tax covered the costs of park maintenance until the Depression of the 1930s when the transit company saw its income drop. The city was forced to provide a public levy to help out, but it kept the bill on the books. With transit fiscal problems in the 1950s not unlike those in the 1930s, the BTC hoped for a change in the attitude toward taxes in City Hall. This finally happened in 1962 when tax breaks were included in an agreement for the BTC to phase out the streetcars. The last cars ran on November 3, 1963.

But during the D'Alesandro years, the BTC was unable to convince the mayor that the profit on the two streetcar lines—and the meager profit on the operation in general—was not enough to sustain the business. The company also pointed to the big decline in riders on all lines, down 40 percent between 1948 and 1956. In 1957 the mayor asked local business leaders to buy a controlling interest in the BTC. It was their duty, he told them, to put the transit operation in the hands of Baltimoreans. The businessmen respectfully felt otherwise. In their view, the cost was too high—no purchase price had been set, but the range was between eighteen and twenty-five million dollars—and the risk even greater in buying a utility in steep decline.

Miffed at what he considered a lack of civic spirit, the mayor then went to

the state legislature with a proposal to float city bonds to buy the company. D'Alesandro managed to get approval from the House of Delegates, but the Senate had its doubts that the city had the financial resources to back the bond issue. Better to wait, its members said, for the Metropolitan Transit Authority (its 1961 title; the agency is now called the Mass Transit Administration), a new public agency then under discussion, to take over the company through a state buy-out. This the MTA eventually did after years of negotiation, with a purchase price of \$11.1 million, in 1970.

D'Alesandro took the setbacks badly, public ownership having become a personal crusade for him. He went on television to castigate his critics and the transit company as well, which he called "one of the worst" in America.<sup>37</sup> In the end, the mayor had to settle for giving Barnes the new title of head of transit as well as traffic, in effect making him a watchdog over the BTC but with no new powers.

Dealing with the BTC turned out to be a less than pleasant assignment for Barnes; after all the brickbats from D'Alesandro, the BTC began throwing its own. It complained about D'Alesandro's off-street parking program. All those public dollars, it said, were being used to subsidize private garage owners and encourage more commuters to drive downtown. The BTC was losing rider revenue, and the increasing vehicular traffic made it difficult to maintain schedules for the buses and streetcars. As for the touted traffic improvements, the BTC said they had done little more than hold the line. In April 1957 their figures showed that the average rush hour speed for BTC vehicles was eleven miles per hour, only a slight improvement over the 10.7 miles per hour averaged in November 1952.<sup>38</sup>

The BTC spokesman was Dale W. Barrett, the president of the transit company, who had worked for many years in Salt Lake City for the National City Lines before his transfer and promotion to the top job in Baltimore in 1955. He was a feisty adversary, who matched Barnes in his ability to use the media to advantage. In October 1957 Barrett cited five traffic tie-ups as typical of what the BTC faced. Barnes said the data was invalid and sent a copy of his reply to the paper. Barrett replied with a four-page letter, standing by the accuracy of his examples and listing sixteen more traffic delays affecting his equipment that had taken place in recent days. His argument for talking with the press was that "the public should be advised of the operating problems we encounter."<sup>39</sup>

The verbal arm-wrestling continued in December after a snowstorm immobilized many of the BTC's buses. Barnes said that the buses did not have the required tires. He would insist on chains if the company could not comply and ended with the comment that it was "rather interesting to note that while your system bogged down completely during this storm, all of my equipment—including trucks as well as passenger cars—negotiated through the city without

any delay other than that caused by other vehicles being stalled in their path." Barrett replied that his tires did indeed meet the qualifications of "snow tread" and had been part of their service program since 1954. "Twelve snowstorms have hit Baltimore in subsequent years, and this was the first time the BTC has heard any complaint about its equipment." Barrett congratulated Barnes on the ease of movement of his vehicles, but they were not under the same constraints as those of the BTC. Had they been required to operate on established routes, and pick up and discharge passengers, and attempt to maintain a scheduled running time, Barrett said, "they would have found it as difficult as we did."<sup>40</sup> And so it went.

### **The Years after D'Alesandro**

In March 1959 D'Alesandro was defeated in the Democratic primary in seeking his fourth term. In heavily Democratic Baltimore that turned out to be the final election result as well. Barnes's job was safe since he had been appointed in 1957 to a four-year term. The new mayor, J. Harold Grady, was cordial and respectful of Barnes's accomplishments, but the sense of loyalty and team spirit that had been a special part of the relationship with D'Alesandro was no longer there.

The difference was evident in an episode in 1960 when Grady opposed a jaywalking ordinance that Barnes had proposed. To be sure, D'Alesandro had not always agreed with Barnes, but he tended to settle matters in private, and early on, to minimize the hint of a divided administration. By contrast, Grady's style of decision-making was slow and methodical, like the FBI agent and state prosecutor he had been earlier in his career. In this instance, he made up his mind after a hearing and report on the ordinance—and much debate in the press—all of which made Barnes's defeat more public.

Grady backed the police commissioner, who felt the force was not large enough to enforce all infractions, and the judges of the traffic court, who would handle all those cases.<sup>41</sup> The bar association in particular must have been pleased, or more specifically the committee that prepared the report on the ordinance. The majority were past or present judges on the traffic court. They had no love for Barnes, with whom they had feuded in the D'Alesandro years over the great increase in tickets they had to handle as a result of all the new parking regulations. It appears to be the premise of Mr. Barnes, the judges said, that "in the battle of rights between driver and pedestrian, the guilt is primarily on the pedestrian. We feel that this view is fallacious and unrealistic! The motor vehicle—and not the pedestrian—is the dangerous instrumentality which must be the primary target of control."<sup>42</sup> Lost in all the rhetoric was the concern for pedestrian safety. But jaywalking ordinances were controversial then, and remain so today.

Barnes also found himself on the defensive over consulting work. In 1958, he and two departmental colleagues had founded the Traffic Devices Research Company, a modest weekend entrepreneurial outlet for Barnes' interest in traffic signal research and development that operated out of the basement of Barnes's home. In 1960 the *Baltimore News-American* ran a story that was less interested in entrepreneurship than it was in a possible conflict of interest. City council president Philip H. Goodman, who had joined in the revolt against D'Alesandro, asked Mayor Grady to look into the matter.<sup>43</sup> Grady had the city solicitor's office do so, with an investigation that included a check of all the company's books and records.

The city solicitor, who was a new Grady appointee, completely exonerated Barnes, who had set up the company with the full knowledge of D'Alesandro and his city solicitor. There was no evidence of any conflict of interest or any impropriety, "legal or moral," he said. Grady acknowledged that no wrongdoing had been found. But he also noted that "the question of the advisability of a Department head associating himself in a business enterprise with employees under his supervision" was outside the scope of the city solicitor's investigation. Approving the firm was a policy issue that had been made by the previous administration, Grady said. He would abide by that, but he clearly had misgivings.<sup>44</sup>

Given all this, it is not surprising that Barnes's ardor for Baltimore began to cool. The following year New York City was looking for someone to head its traffic department and hired him. Mayor Robert F. Wagner said the city had been "determined to get the top traffic authority in the nation to carry out this demanding job, and we believe we have in Barnes."<sup>45</sup> As D'Alesandro had done, Wagner assured Barnes a free hand to reorganize the department and a pledge of no political interference. Wagner also offered him a salary of \$27,500, which was \$5,000 more than the current traffic head was receiving. Barnes would also have a staff of 637 and a budget of \$6.8 million compared to the staff of 210 and \$1.8 million budget in Baltimore. Mayor Grady declined to match the salary, and Barnes left in January 1962 for New York, where he was just as controversial in implementing the same agenda he had in Baltimore before meeting an untimely death of a heart attack in 1968 at the age of sixty-one.<sup>46</sup>

What of his achievements in Baltimore? Critics tended to minimize them, pointing out that Barnes owed much to the growth of his department and budget during his years in office. All of which was true to some extent. Funding increased greatly during the D'Alesandro years in particular, in part as the result of the generous use of the gasoline tax. It was true, too, that Baltimore had been playing a game of "catch up" compared to other cities, given the scant resources it had allocated to traffic in earlier years. But D'Alesandro should be given credit for wanting a change, and Barnes for making it happen.

As *Sun* columnist Edgar L. Jones pointed out, Barnes took details seriously,



*Not usually a snappy dresser, Barnes looks elegant here in his suit, fedora, and signature bow tie as he talks traffic with visitors in 1953. He is almost as modish as the visitor on the right. (University of Maryland, College Park.)*

as in the case of adding more lane lines everywhere. "There's more traffic control in a pail of paint than in almost anything else," Barnes said, in upping the gallons of paint used annually from two thousand to over fifteen thousand in order to move more traffic on existing streets. At the same time, Barnes was

forever facing the headache of increasing volume as the Auto Age accelerated. During his years as traffic head, Barnes estimated that the number of vehicles on Baltimore's streets increased by 57 percent. But Barnes had gotten the traffic to move, and he made commuting for most citizens much faster. "After everything else is said of Mr. Barnes," Jones concluded, "that is his tribute."<sup>47</sup>

After the 1950s rail mass transit made a comeback of sorts, in the form of subways, thanks to funding from federal legislation such as the Urban Transportation Act of 1964. Baltimore eventually got a subway, or at least one line of the proposed system before the dollars ran out as the costs became too high. In recent years, the focus has been on light rail as a less expensive alternative. The bus remains the workhorse of the Baltimore transit system, but the majority of commuters still drive to work, in large part because so many jobs have moved to the suburban "edge cities" like Columbia, Owings Mills, Towson, and White Marsh, which, with the exception of Owings Mills, are not well served by mass transit. (Two of three commutes in the Baltimore metropolitan area are not from suburb to downtown but rather from suburb-to-suburb, as is the case elsewhere.)<sup>48</sup>

What of Barnes's legacy? This is more complicated to assess in the sense that cities no longer look at streets simply as traffic corridors. Cities were for people, said Jane Jacobs, William H. Whyte Jr., Lewis Mumford, and a host of other social critics in the 1960s and 1970s. They felt that all the traffic enhancements, from one-way streets to "No Parking" signs, took a toll on the quality of life in the neighborhoods.<sup>49</sup>

In 1980 mayor William Donald Schaefer asked for the resignation of Hugo O. Liem, who had been traffic director for eleven years.<sup>50</sup> Liem had gotten himself frequently in hot water with community groups such as Streets for People over parking rights for residents; they wanted greater use of the curb space outside their homes. Liem was reluctant to grant that request. He looked at the prospect of all those parked cars from the perspective of a traffic engineer. Like the homeowners in Charles Village, Mount Vernon, and other neighborhoods that complained, Schaefer saw things differently. In a symbolic sense, that marked the end of an era.

## NOTES

1. After grade school and some business school training, D'Alesandro went to work with a downtown insurance firm where he managed for many years to juggle a job as a broker with his interest in politics. In 1941 he started his own insurance company with Robert J. McCullough. They split up after D'Alesandro left City Hall and returned to the business.
2. The best reference for Barnes's early years is his autobiography, *The Man with the Red and Green Eyes* (New York: E. P. Dutton & Co, 1965). The Harvard Bureau of Street Traffic,

34. Henry B. Cooper, "Present Status of Proposed Bus Terminal in Development Area #14 of Charles Center," (October 4, 1961), 2, series 6, box 17, Greater Baltimore Committee Collection.
35. The conspiracy theory was given credence by testimony at a congressional hearing in 1974. It was later shown to be inaccurate, as Scott L. Bottles notes in his account of the streetcar story in *Los Angeles and the Automobile: The Making of a Modern City* (Berkeley: University of California Press, 1987). Herbert H. Harwood recognized the problems streetcars faced in a changing era in *Baltimore and Its Streetcars: A Pictorial Review of the PostWar Years* (New York: Quadrant Press, 1984.)
36. It is still possible to take a ride on a lovingly preserved PCC car at the Baltimore Streetcar Museum on Falls Road in Baltimore. Michael J. Farrell, *The History of Baltimore's Streetcars* (Sykesville, Md.: Greenburg Publishing Company, 1992) is a useful reference.
37. "Television Address on WMAR-TV, April 5, 1957," 1. D'Alesandro Papers, 315 (2).
38. "Summary of Statement of Dale W. Barrett, President, The Baltimore Transit Company, November 4, 1957," D'Alesandro Papers, 55 (1).
39. Barnes to Barrett, October 31, 1957; Barrett to Barnes, November 4, 1957, D'Alesandro Papers, 315 (2).
40. Barnes to Barrett, December 5, 1957; Barrett to Barnes, December 10, 1957, D'Alesandro Papers 315 (2).
41. Grady to Barnes, May 26, 1960, Grady/Goodman Papers, 234, Baltimore City Archives.
42. "Report on Proposed Jaywalking Regulation," (May 3, 1960), 5, Grady/Goodman Papers, 234.
43. Goodman to Grady, June 7, 1960, Goodman/Grady Papers, 235 (1).
44. Draft of statement, July 7, 1960, Grady/Goodman Papers 235 (1).
45. *Baltimore Sun*, December 31, 1961.
46. *New York Times*, September 17, 1968.
47. *Baltimore Sun*, January 6, 1962.
48. In recent years, buses have accounted for approximately 75 percent of the Mass Transit Administration's riders. The rest is divided among the Metro subway (13 percent), light rail (6 percent) and MARC rail (6 percent).
49. Jane Jacobs wrote the highly influential *The Death and Life of American Cities* (New York: Random House, 1961). Some of her ideas were presented in an earlier book edited by William H. Whyte Jr., *The Exploding Metropolis* (Garden City, N.Y.: Doubleday, 1958). A sampling of Lewis Mumford's views can be found in *The Highway and the City* (New York: Harcourt Brace Jovanovich, 1963).
50. *Baltimore News-American*, January 20, 1980.

which later moved to Yale and became the Bureau of Highway Traffic before closing its doors in the 1960s, was an early and influential training center for traffic engineers.

3. *Baltimore Sun*, March 11; *Baltimore Evening Sun*, April 8, May 22; *Baltimore Sun*, April 6, 1953.

4. Barnes, *Man with the Red and Green Eyes*, 109–16.

5. *Baltimore Sun*, October 24, 1953.

6. *Baltimore Evening Sun*, August 26, 1954.

7. Barnes in his autobiography (152) writes that he requested—and the Civic League delivered—200,000 signatures. The newspapers at the time, however, say the requested figure was 100,000. But after visiting the Flower Mart, Barnes felt the need for any petitions was premature. One member of the Civic League was quoted as having thrown her petition away after talking to Barnes, so confident was she that he would not change the site. *Baltimore Evening Sun*, May 12, 1954.

8. *Baltimore Evening Sun*, May 15, 1954.

9. *Baltimore Sun*, April 1, 1954.

10. Wolman to J. Joseph Curran, May 26, 1955 (copy) and memo from Wolman to D'Alesandro that was sent with letter; Barnes to Mrs. Walter D. Owens, June 3, 1955, Papers of Thomas A. D'Alesandro Jr., Baltimore City Archives, file 317 (1).

11. Quote from story in *Baltimore Evening Sun*, May 15, 1955, when the memorial was moved.

12. Paula Schuler to D'Alesandro, September 20, 1954; D'Alesandro to Schuler, September 22, 1954. D'Alesandro Papers, 316 (2).

13. Barnes, "Baltimore Traffic Study" (May 15, 1953), 6, 11. Mimeographed report in Maryland Room, Enoch Pratt Library.

14. *Baltimore Evening Sun*, March 22, 1954.

15. *Baltimore Sun*, December 24, 1957; John C. Schmidt, "Giving Baltimore Drivers the Green Light," *Sunday Sun Magazine*, April 20, 1958.

16. Department of Traffic Engineering, *Annual Report* (July 1953 to July 1954), 12–13.

17. *Ibid.*

18. *Baltimore Evening Sun*, June 11, 1954.

19. *Baltimore Sun*, July 16, 1953.

20. Barnes quote from his remarks in caption of photo of trunk and equipment in his autobiography (between 128–29).

21. *Jeffersonian* [Baltimore County Weekly], June 12, July 31, 1953.

22. W. G. Ewald, "Baltimore's Off-Street Parking Program," *Baltimore [Magazine]* May 1953. Reprint of article in the Greater Baltimore Committee Collection, series 5, box 34, in the archives at the Langsdale Library, University of Baltimore.

23. White to D'Alesandro, June 17, 1955, D'Alesandro Papers 317 (2).

24. Barnes to White, June 21, 1956, D'Alesandro Papers, 317 (3).

25. White to Barnes, June 26, 1956, D'Alesandro Papers, 317 (3).

26. Paul Mason to Barnes, August 18, 1953, D'Alesandro Papers, 316 (1).

27. Cooper to D'Alesandro, December 12, 1954, D'Alesandro Papers, 316 (2).

28. *Baltimore Evening Sun*, December 15, 1954.

29. Barnes to Ritota, October 10, 1955, D'Alesandro Papers, 317 (1).

30. Barnes to Samuel J. Schleisner, October 11, 1955, D'Alesandro Papers, 317 (1).

31. Barnes, "Rapid Transit Possibilities for the Baltimore Metropolitan Area" (November 1958) Section D, 1–3. Mimeographed report, D'Alesandro Papers, 55 (1).

32. *Ibid.*, Section D, 8.

33. *Baltimore News-Post*, April 23, 1958; *Baltimore Sun*, April 3, 1958.

## Book Reviews

*Marriage in the Early Republic: Elizabeth and William Wirt and the Companionate Ideal.* By Anya Jabour. (Baltimore: The Johns Hopkins University Press, 1998. 226 pages. Notes, essay on sources, index. \$44.)

When Richmond's Elizabeth Gamble accepted the fourth marriage proposal of a persistent William Wirt in the spring of 1802, the couple began a thirty-two year journey through a maze of shifting marital expectations. Couples in the early republic generally adhered to the ideology of separate spheres, an arrangement where early American women preserved the home as a comfortable haven distinct from the impersonal relationships of the male-dominated marketplace, while men provided financially for their families. At the same time, early American couples were beginning to glorify the "beau ideal," a different marital standard that expected husbands and wives to participate mutually and equally in what historians have called the "companionate marriage." In *Marriage in the Early Republic: Elizabeth and William Wirt and the Companionate Ideal*, Anya Jabour exploits the Wirts' comprehensive correspondence (housed in the Maryland Historical Society library in Baltimore) to offer a compelling story of one prominent southern couple's attempt to negotiate these conflicting nuptial trends. She achieves a limited, though solid, success.

The competing expectations of a companionate marriage and those of a more patriarchal order clashed throughout the Wirts' marriage. Even before the wedding in Richmond, William admonished Elizabeth to "[r]emember—you are not the prisoner of an engagement. . . . There shall be no compulsion, no fetters" (21). However, as Jabour points out, his decision to seek formal permission to marry from Elizabeth's father "bowed to social conventions that placed women's futures in men's hands" (18).

William continued to contradict his written advocacy of the companionate ideal as the newlyweds started a family and developed a domestic economy after their move to Norfolk. "Home is still the place for happiness" (45), he reassured Elizabeth, although his work as a circuit lawyer throughout Maryland and Virginia etched a defining line between the couple's desire for equality and their increasingly isolated perspectives on domestic life. Elizabeth worked to mitigate the impact of William's career by shaping an atmosphere where legal and household work were, as Jabour notes, "interwoven so closely that it was difficult to distinguish between them" (30). Nevertheless, William's professional commitments demanded lengthier absences, and the arrival of the first of their ten children drove the wedge even deeper between the couple's perceived domestic

responsibilities. “While Elizabeth held the Wirt’s precious baby to her breast,” Jabour writes, “William intensified his efforts to earn cash for the family’s support” (39). After only three years of marriage, Elizabeth and William had assumed distinct roles in the family economy, and this arrangement would only become more entrenched.

Divergence from the companionate ideal affected each partner differently. William thrived, throwing himself headlong into professional advancement. Whether flirting with political office, leading a military company, or delivering stunning legal defenses, he relished the quest for fame and fortune. Referring to an anticipated legal confrontation with the famous attorney William Pinckney, he wrote home with typical masculine hubris, “My spirits rise at the expected tug of war, and make me feel my strength” (105). Elizabeth, in contrast, stagnated. She cared for her children’s health and education, managed the home’s burgeoning consumer needs, and entertained lavishly in their Washington home after William’s appointment in 1817 as President Monroe’s attorney general. “I do now almost all of the housekeeping” (107), she seethed, as the burdens of domesticity began to take an emotional toll. “These separations,” she later complained, “are vexatious drawbacks to my happiness” (133). William empathized: “I am very, very tired of these long separations.” But by now Elizabeth’s nerves were frazzled. “We are all,” she retorted for the rest of the family, “quite tired of your rambling” (120). By the late 1820s, writes Jabour, “Elizabeth and William Wirt seemingly had resigned themselves to the hard fate of an almost complete divorce” (138). In 1834, William, whose finances were in arrears, died an untimely death after the family’s final move to Baltimore.

Jabour traces this narrative with insight and sensitivity. At times, however, she forgets that her evidentiary base includes only one family. The Wirts were unusual in terms of their family size, urban slaveholding (518 adults), wealth, twelve-year age difference, and, of course, their extensive correspondence. Thus, when Jabour concludes that William and Elizabeth’s “lifelong negotiations on their marriage and their roles within it illuminate marital relations at a crucial juncture for women and men in America” (170), one is justified in questioning the actual scope of such illumination. On balance, however, her case study makes an important discovery. Elizabeth Wirt’s consignment to the domestic sphere inspired neither “the bonds of womanhood” nor the celebration of genteel domesticity. Instead, she and William understood their separate domestic roles as a failure. In documenting their inability to achieve a popular ideal, Jabour successfully complicates our understanding of nineteenth-century domesticity.

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*Prince George's County: A Pictorial History.* By Allan Virta. (Virginia Beach: The Donning Co., 1998. 280 pages. Index. \$42.95.)

The images presented in this volume, the third edition, recall the people, places, and events in the three-hundred-year history of Prince George's County. Portraits of the planters, preachers, and patriots and their women and children cover the period of the eighteenth and nineteenth centuries. Informative captions not only identify the subjects and give a brief biography, but sometimes quote from letters and diaries, illuminating their thoughts and opinions. Some of these pictures are poignant reminders of tragedy. Benjamin Lewis Lanham, scion of an old county family, went to fight for the Confederacy and was killed at Gettysburg one month short of his nineteenth birthday. The accompanying poem recalls the grief of the roll call following that battle.

The book recalls not only the well-born and well-to-do but ordinary people as well. There are pictures of slave auctions, slaves walking in chains, and black troops at Fort Lincoln. We see Washingtonians riding the roller coasters at an amusement park in the 1890s, an early football team at the Maryland Agricultural College, a group of farm workers riding in an oxcart, and citizens gathered outside Casey's blacksmith's shop in Bladensburg.

Many historic structures, some no longer standing, are pictured. Only one house, known as Mount Calvert, probably built in the early years of the nineteenth century, remains on the site of Charles Town, the first county seat of Prince George's County. Dunblane, home of many of the early generations of Magruders, was destroyed by a gas explosion in 1969. The Bladensburg Academy, a private school built early in the nineteenth century, has been torn down.

Not all of the buildings depicted are the imposing mansions often associated with colonial times. Bladensburg has the Market Master's House, a stone house built by Christopher Lowndes in 1760. Several mills, an octagon house, a row of residences converted by black families from an abandoned farm building, an ice cream parlor, and a gas plant help to recreate the scenes Prince Georgians saw as they went about their lives. A number of maps illustrate the settlement and growth and development of the county. Pictures illustrate the changes in travel, from seventeenth-century sailing vessels, oxcarts, and stagecoaches to trolley cars, railroads, automobiles, and the Washington, D.C. Metro.

Several "firsts" are illustrated. Thomas John Claggett was the first Episcopal bishop consecrated in this country. The Beggar's Opera, by John Gay, was the first opera in America known to have been performed with an orchestra; it was presented in Upper Marlboro in 1752. *The Last Supper*, an important colonial painting by Gustavus Hesselius, hangs in Saint Barnabas Church. The first documented balloon ascension took place near Bladensburg in 1784.

The compiler, who grew up in Prince George's County and was first chair-

man of the county's Historic Preservation Commission, from 1982 to 1986, has selected pictures and compiled text that traces the history of the county down to the 1990s. The final chapter includes color photographs of many activities, from scientific research at Goddard Space Flight Center, to road construction and county roads clogged by commuter traffic. Quilts, parades, and reenactments commemorating the county's tercentennial are also included.

This is a delightful book to look at and informative to read, with many interesting nuggets. The reviewer was excited to learn of a seven-hundred-page ledger kept by Reverend John Eversfield. The ledger, a copy of which is on microfilm at the Maryland State Archives, contains, among other things, notes on the Eversfield family in England.

Alan Virta has struck a balance between the past and the present, the county's old families and less well known folk, between the rural life of a hundred years ago and the urbanized life of today. The book is highly recommended, and the author is to be commended for a job well done.

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Perry Hall

*Finding the Charm in Charm City: Affectionate Views of Baltimore.* Photographs by Huguette D. May and text by Anthea Smith. With a Foreword by Michael Olesker. (London: The Johns Hopkins University Press, 1998. 192 pages. 104 color illustrations. \$29.95.)

*Finding the Charm in Charm City* illustrates the original definition of the word "charm," the chanting or recitation of a verse supposed to possess magic power. The chant repeated throughout the book is the love of Baltimore, a sentiment certainly expressed in previous books but not in the manner found in this new one by Huguette D. May and Anthea Smith. It is an alluring book that takes one on a tour around Baltimore (not strictly within the city limits) pointing out buildings and places that many people may know but most are not attending. May's artful photographs resemble postcards from an earlier era, and they are paired with Smith's illuminating texts which provide interesting historical information. Balancing pictures and texts proves to be a challenge for the authors.

The book celebrates, and sparkles with, the qualities of Baltimore as seen from its streets. Marble steps, rowhouses, and murals are all found in the book, but signs fascinated the authors most of all. More than one-third of the book deals with signs, including a fading Prohibition-era relic at the corner of Broadway and Shakespeare Street. The text recounts succinctly some of the reasons for the sign, while the image reveals the look and dimension of it. That tangible evidence of Prohibition still may be seen in the streets of Baltimore is indeed

fascinating, and the book not only points out the evidence but also preserves it. This image, like all of those in the book, has the intriguing quality of a postcard.

Postcards, initially popular in the 1890s before color photography was readily available, were often elaborately hand-painted to attract attention in a marketplace crowded with alternatives. The exaggerated color typical of turn-of-the-century postcards serves as a powerful reference for considering the imagery that May has produced for the book. Although her pictures were made by an entirely different means and may not have been intended to have any relationship to postcards, they do indeed resemble early ones. May could have produced straight transparencies and published those, but she obviously would not have achieved the painterly quality that so effectively evokes the historical intentions of the book. She chose instead to render the images onto Polaroid film and to make Polaroid image transfers (a process of hand manipulation that allows the removal of an image from its Polaroid backing and its placement onto paper for hand painting using watercolors or colored pencils). The resulting images are souvenirs that look as old as their subjects.

Not surprisingly, the images in the book rely upon the texts to explain and amplify them, and the texts rely upon the images to provide information that would otherwise require vast amounts of explanatory verbiage (if such explanation were possible). Generally the relationship between images and texts works well, though occasionally the strength of one or the other comes into question. For example, the text related to a window display of beer can art (3) mentions tiny pots and pans that are not discernable in the image. They are presumably too small to be seen, or are in shadow. Moreover, the glitter that the text claims is on the sign does not show up in the book. It might have been more prudent not to discuss such details, or, alternatively, to have made close-ups that endeavor to reveal those features. In this instance and in others, the style of the images may be somewhat at odds with the documentation and presentation of facts.

Often the pictures are points of departure for the texts, opportunities to reflect on the origins of things. For example, the image of a snowball stand on Old Baltimore-Annapolis Road is an opportunity for Smith to present research on the origins of the snowball (Roman emperor Nero each summer had snow brought down from the mountains to be flavored with fruit and honey). She then relates the role Baltimore had in developing the commercial snowball business here and abroad. The origins of Formstone, painted screens, the Gatehouse next to the Baltimore Museum of Art, and many other topics are covered. In fact, the eclectic nature of the texts is an especially enjoyable quality of the book.

Since 1980, Baltimore has been the subject of a general history (*Baltimore: The Building of an American City* by Sherry Olson), an illustrated history (*Baltimore: An Illustrated History* by Suzanne Chapelle), and a pictorial history (*Bal-*

*timore: When She Was What She Used To Be, A Pictorial History, 1850–1930* by Marion E. Warren and Mame Warren). Although an obvious fondness for Baltimore shines through all of these books, history is the first and foremost purpose of each. History is a feature of *Finding the Charm in Charm City*, but it is secondary to the warm and personal affection May and Smith have for the city. Scholars will learn much about Baltimore from this book, but not of the same nature as in the volumes mentioned above. Readers will carry away most of all a profound understanding of why there is so much affection for Baltimore and realize the magic power of it.

TOM BECK

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*Baseball in Baltimore: The First 100 Years.* By James H. Bready. (Baltimore: The Johns Hopkins University Press, 1998. 272 pages. Illustrations, bibliographical references, index. \$34.95 cloth.)

If you were to examine much of what has been written about the history of baseball in Baltimore, you would often see the name James Bready as the author or as a quoted authority. It's been years since I came to regard him as *the* authority on the subject. I grew up with the Orioles when they were still in the International League; my father took me to old Oriole Park, although I was too young to remember. So Jim Bready's new *Baseball in Baltimore: The First 100 Years* promised sheer pleasure, and that's what it delivered, like a sweet pitch for a called strike or a game-winning base hit, by some Oriole, of course.

Bready's book brings to life that little baseball park in Waverly (1914–44) that I often daydream of, imagining Babe Ruth pitching, and Bready calls it "the old timer's palace of enchantment." His account of the post-World War II years when the Orioles played in the wooden horseshoed Municipal Stadium and a single-decked Memorial Stadium stirs my memories of being there at my father's side. I could be wrong, but I believe we were present for the first waving of handkerchiefs in derision at opposing pitchers, a practice that Bready recalls thankfully to have been short-lived. It seems to me that a slow-working Syracuse southpaw provoked this unsanitary custom, but I wouldn't swear to it unless Bready were to verify it.

Knowing the precision of all his work and the part of this book that I gravitated to first—the few years with which I'm familiar, the slow-moving late 1940s and early 1950s, which seemed to me as a child an eon—I take the rest of *Baseball in Baltimore* as gospel. That comprises most of this lively book, which unfolds in the mid-nineteenth century and introduces Baltimore franchises in eight different leagues and nine parks. Why don't current baseball players have nicknames like Angel Sleeves Jones, Buttermilk Tommy Dowd, The Only Nolan and

the Smiths: Broadway, Egyptian, Phenomenal, and Klondike? Bready's gentle humor graces the text and the captions for 150 illustrations. Next to a picture of Ruth posing with the St. Mary's Industrial School Band, Bready concludes: "That he could play a tuba is in doubt." Alongside another pose by the young Babe: "For this one, no cap? But there it is, in his coat pocket." Bready presents an 1890s sketch of ball diamonds by one William Ridgely Griffith, president of the Pastime Base Ball Club, showing "the lay of what used to be land"—now part of the Druid Hill Park reservoir.

The majestic Orioles of Jack Dunn, who won seven straight International League pennants from 1919 to 1925 always seemed to me close to the origin of baseball in Baltimore. But those feats fall in the second half of a history that includes such teams as the Pastimes and the Excelsiors and the Lord Baltimores. Bready unearths "a wordy paragraph" that he believes to be the first newspaper write-up about local baseball, or, as he says, "until somebody finds something older." That is unlikely. Bready has made his discovery in the *American and Commercial Advertiser* of July 12, 1859, and I don't know anyone in love with the game who does his work any more diligently than he.

Bready dates the beginning of baseball in Baltimore to a grocer's visit in the late 1850s to Brooklyn, New York, to watch the Brooklyn Excelsiors play. George F. Beam came home and organized the first club, holding its first meeting in a building on Commerce Street near East Lombard. The members also called themselves Excelsiors. The Brooklyn-Baltimore connection thus was forged long before Baltimore sent up turn-of-the-century icons Ned Hanlon and Wilbert Robinson to manage Brooklyn clubs.

Bready relates that a number of Baltimoreans found their way as far as Fort Wayne, Indiana, to play for the Kekiongas when the big-league National Association began in 1871, and that Lipman Emanuel Pike, who played for the Lord Baltimores after they joined the association the following year, was the first Jewish major leaguer. The book brims with memorable facts and theories, including Bready's suggestion that Larry Doby, the American League's first black player, might have played for the minor league Orioles after being signed by their parent Cleveland Indians, had it not been for the city's racism. Bready's baseball always is set in the culture of the time.

*Baseball in Baltimore* succeeds primarily because of the ease with which the author lingers in the game's most distant days, such as the 1880s, a "golden age" in baseball when leagues and teams were flourishing, schedules were lengthening, and essential parts of the game such as overhand pitching and fielding gloves came into being. Bready lets us feel what the times were like when franchises cost fifty dollars and teams were feted with parades of horse-drawn carriages. Matt Kilroy won forty-six games in 1887, and in his honor August Mencken, the cigar maker, created the five-cent Kilroy. To the delight of Mencken's small son,

H. L., who loved baseball at the time and kept scrapbooks, various Baltimore players were invited over to the famous residence at 1524 Hollins Street.

Bready's account ends at the dawn of a new era, when Baltimore returns at last to the major leagues in 1954 and Baltimorean Eddie Rommel, the umpire, cries "Play ball!" Part of Bready's writing style is to pose a question, as in the caption of a photograph of fans entering Oriole Park: "Where, in this crowd at an entrance, are the women?" I wonder: Will there be another James Bready to provide the next generations as elegant an account of baseball in Baltimore after the next hundred years?

WILLIAM GILDEA  
Bethesda, Maryland

*In Irons: Britain's Naval Supremacy and the American Revolutionary Economy.* By Richard Buel Jr. (New Haven: Yale University Press, 1998. 408 pages. Appendix, notes, index. \$35.)

When I began teaching a course on the American Revolution nearly a decade ago, I looked in vain for an up-to-date analysis of the wartime economy. I could tell my students about Britain's unchallenged raids on American ports, the Continental Army's almost puzzling lack of provisions during several winters (including Valley Forge), and about the paper money that "wasn't worth a Continental," but beyond that I had little to offer them. Certainly, I had few hints that these facets of the war—and many more—were so intricately intertwined. Richard Buel's new book changes all that; I now have a detailed and comprehensive tale to tell my students.

The title offers important clues to the author's assumptions and conclusions. *In Irons* refers to a stalled sailing ship with its bow to the wind—a metaphor for the American economy during the war; *Britain's Naval Supremacy* produced the conditions under which a prosperous, robust colonial economy sputtered, declined, and nearly collapsed. Despite the nautical allusions in the title, however, this is neither a book about sailing nor traditional naval history; it is first and foremost a detailed history of the American economy during the Revolutionary War.

The key to Buel's analysis is his discussion of the inter-relatedness of each of the regional agricultural economies (New England, New York/Hudson Valley, Delaware Valley/upper Chesapeake, and lower South) with their respective gateway ports (Boston, New York, Philadelphia, and Charleston) and the imports and exports that flowed through those cities. These economies, in turn, were closely linked to transportation systems—primarily waterborne—which allowed goods to flow out of the hinterlands, down rivers and roads to local market towns, through the gateway cities, out into broad bays and estuaries, across sea

lanes to Europe and the Caribbean—and then back again. An understanding of geography is essential to this story, yet it is surprising to find no maps in the book. A general map of eastern North America and the sea lanes connecting it to the broader world as well as several detailed maps of specific economic regions would help the general reader keep these crucial spatial relationships in mind. Despite this caveat, Buel's story is a fascinating one.

The thirteen colonies began the war optimistic about both their military and economic prospects. Clearly, Britain had an imposing army and its navy ruled the seas, but in some ways that did not matter; the colonies boasted nearly three million inhabitants from which to raise their own mighty army and their pre-war agricultural surpluses seemed more than adequate to provision that army. In addition, Britain would have to transport large numbers of troops to America and, unlike the recent Seven Years' War, would have to keep those troops fed without the support of local governments. However, according to Buel, few Americans understood the finely tuned and interdependent economic network upon which such assumptions rested.

Pre-Independence non-importation/exportation associations, for example, were designed to hurt British merchants, but they also altered the American economy. Farmers who routinely planted wheat for export now shifted to corn for local markets, which in turn affected shippers in the gateway cities who re-adjusted the frequency, destinations, and timing of their voyages. Moreover, the closing of European markets encouraged planters in Virginia and Maryland to dramatically cut tobacco production and thus severely curtail imports secured with tobacco credits. When the Royal Navy began seizing American ships, mercantile firms suffered heavy losses, insurance rates skyrocketed, and credit tightened, resulting in even fewer trips. Although American shippers tried with some success to re-direct trade to non-British ports in Europe and the Caribbean, commerce in the gateway ports (and secondary ports like Baltimore) dropped to one-third of pre-war levels. France's entry into the war temporarily boosted sagging morale but complicated the economy by injecting specie into some regions which allowed the French to outbid Continental Army agents for the now much reduced grain supplies. While American privateering, a revitalized West Indian trade, state and national fiscal policies, and the actual movements of Rochambeau's army late in the war all had measurable impact on the wartime economy, it was Britain's long occupation of New York and temporary capture of Boston, Philadelphia, and Charleston that drastically altered regional economies. Even Cornwallis's surrender at Yorktown did little to alleviate the depressed economy as Britain continued its blockade until actual peace came in 1783. Not until the French Revolution a decade later diverted European investments to a more stable United States did the American economy fully revive.

Buel's sweeping narrative and broad-based analysis punctuated with de-

tailed investigations of farming, industrial, and mercantile records should give teachers, students, and scholars for some time to come a much-needed framework for understanding—and debating—the economy of Revolutionary America.

JOHN G. KOLP  
U.S. Naval Academy

*Letters from New York: A Portrait of New York on the Cusp of Its Transformation into a Modern City.* By Lydia Maria Child. Edited by Bruce Mills (Athens: University of Georgia Press, 1998. 320 pages. Appendix, notes. \$19.95.)

In August, 1841, as part of her new role as editor of the Garrisonian journal *The National Anti-Slavery Standard*, Lydia Maria Child wrote the first of her fifty-eight columns entitled “Letters from New-York.” Child published the letters in a single volume, at her own expense, in August 1843, three months after she wrote her last column and left the journal. The brisk sale of Mrs. Child’s fifteen hundred copies led to a contract with two publishers, C. S. Francis (New York) and J. H. Francis (Boston) in the same year, and the work went through eleven editions by 1850, by which time Child’s original columns had been combined and abridged to forty-one letters.

Lydia Maria Child was thirty-nine when she wrote the first of her columns, and already an accomplished writer in several genres. *Hobomok, A Tale of Early Times* (1822) is still regarded as one of the more significant early nineteenth-century American novels. Her literary successes, combined with passionate abolitionist views, made her a logical choice to edit the *Standard*. But passion does not accurately describe her approach to subject in “Letters from New-York.” The columns occupied a central place in each issue of the journal, following partisan editorials and preceding much less polemic articles and features. Appropriately, the letters served as a bridge between the two parts; most begin on such bland notes as an account of an afternoon spent in the country and then, often with cleverly undetectable transitions, move on to more serious matters, most often appeals for the downtrodden, particularly but not exclusively the slaves.

There is much in these letters to appeal to readers in search of a glimpse of New York life in the 1840s; Child’s range is impressive. She takes the reader to an African-American church, a Catholic church, and a synagogue, as well as a Scottish-American benevolent society and a prison (Blackwell’s Island). Two of her most memorable scenes depict the calm city in the aftermath of a snowstorm and the frenetic city in the midst of its annual moving day, May 1.

For all of Child’s accounts—and complaints—of the noise and the hectic pace of New York, what the reader is most likely to note after finishing this collection is the microscopic size of the place, and its proximity to land that in

1841 was still bucolic. Her Manhattan is a brief interruption to a pastoral world, and the reader familiar with northern New Jersey and beyond will be taken aback by passages like this one: "New-York enjoys a great privilege, in facility and cheapness of communication with many beautiful places in the vicinity. For six cents one can exchange the hot and dusty city, for Staten Island, Jersey, or Hoboken; three cents will convey you to Brooklyn, and twelve and a half cents pays for a most beautiful sail of ten miles, to Fort Lee. In addition to the charm of rural beauty, all these places are bathed by deep waters."

There are other aspects of *Letters from New-York* that date the work; some are entertaining and some are not. Child says at one point that scientific inquiry supports the theory that water can be found by means of a divining rod, and she also appears to think there is some validity to phrenology. On the other hand, few will find much to smile about in her description of the differences in "facial angle" among the various races and how these differences have contributed to the differences in levels of civilization. Caucasians, of course, have the most favorable "angles," but some white readers will have very little time to express much satisfaction, because Child moves on from here to a discussion of climatological influences on temperament, much to the detriment of Mediterranean peoples. Also likely to provoke offense are such phrases as "Romish absurdities" in her letter about a visit to a Catholic church or the "blindness and waywardness" of the Jews in the course of an account of a similar trip to a synagogue. (There is, it should be pointed out, an unforgettable passage describing Child's consternation when she is told at the synagogue that she cannot sit downstairs with the men.)

Above all, Child's letters suffer from timing—their appearance in a golden age for the essay. Her work must be seen alongside that of Emerson and Thoreau, as well as such accomplished British essayists as McCauley, Ruskin, and Newman, and she does not fare well in such company. She no doubt loved nature as much as Emerson and Thoreau, but her descriptions of birds at play, or snowstorms, pale before theirs (especially Thoreau's). Hers is an ornate prose style that will often strike contemporary readers as tedious and strained. "I have placed the lovely landscape in the halls of memory, where I can look upon it whenever my soul needs the bounteous refreshings of nature. . . . a blessing for the weary months that are coming upon us; for Summer has waved her last farewell, as she passed away over the summit of the sunlit hills, and I can already spy the waving white locks of old Winter, as he comes hobbling up, before the gale, on the other side."

*Letters* is nonetheless worth perusing. The editor, Bruce Mills, writes a useful introduction and his footnotes in individual letters clarify virtually every reference to long-forgotten events or obscure literary passages. Mills also provides an appendix with the original versions of nine letters. While the letters can be irritating in both style and content, there are entertaining moments, and

insights into the thought of one of the best and brightest minds of mid-nineteenth century America.

GEORGE S. FRIEDMAN  
Towson University

*The Only Land They Knew: American Indians in the Old South.* By J. Leitch Wright Jr. (New York: The Free Press, 1981; Reprint, Lincoln: University of Nebraska Press, 1999. 416 pages. Illustrations, maps, notes, index. \$19.95.)

To the average American, the terms “Indian” and “Native American” evoke images of cowboys on horseback, circled wagons, great Indian chiefs saying “How” over and over again, and John Wayne fiercely battling hordes of shrieking “savages” in an attempt to save some tiny western settlement. Even when discussing native peoples in the East, the images are just as antiquated: pilgrims and their new Indian neighbors happily eating corn and turkey before the “red men” disappear only to magically resurface in Oklahoma during Andrew Jackson’s presidency. Perhaps the most grotesque abomination comes from Walt Disney™, the movie company espousing righteousness and truth above all else. Their much panegyricized animated film *Pocahontas* (1995) was an eighty-two minute historical debacle, which not only portrayed Powhatan’s favorite daughter as much older and John Smith as far younger than they were at the time, but also had them frolicking about and talking to trees and woodland creatures. Little wonder that children are growing up with such limited knowledge of the real history of their own country. When J. Leitch Wright Jr. wrote *The Only Land They Knew: American Indians in the Old South*, he attempted to correct such erroneous depictions. Wright explains that these representations “all emphasizing the Indians as hunters, becomes more distorted the farther south one looks along the Atlantic Coast” (11).

When this text first appeared in 1981, this brief statement from the opening chapter signaled Wright’s purpose—to invalidate the pre-conceived stereotypes surrounding these “original southerners” and offer up a balanced, detailed account of their history. He surely felt these people had been too often overlooked or dismissed in the history of the southeastern region of North America. Clearly, with the explosion in scholarship on Native American history over the course of the past two decades, the message reached its audience. Long before *Dances With Wolves* (1990) made it hip to worry about the plight of Indians out West, Wright sought to enlighten his own audience about the history and travails of native people living a little closer to home.

As James H. Merrell explains in his introduction to this reprinted edition, “when the book came out, there was nothing remotely like it” (viii). I would

take this a step further and argue that this work remains the benchmark in the field that other historians continue to look to and often emulate. Wright's tome encompasses early United States and southern history, discusses race relations and customs on the fledgling frontier, and successfully explodes previous notions of southern Indians through a direct assault with facts, figures and the most extensive bibliography imaginable. In his work, Wright meticulously explores every aspect of native lifeways and culture from the Paleolithic period to Spanish contact and conquest up through the aftermath of the 1830 Indian Removal Act.

Throughout the text, Wright's narrative pursues the meaning and significance of numerous factors in the history of the southern Indians. Whether discussing their enslavement at the hands of Spanish conquistadors or the infamous legacy of diseases, the author presents a focused picture as he unearths even more information for his reader. One longstanding myth lies in the view of the Indian as a nomadic hunter who, only after the 1887 Dawes Severalty Act, succumbed to the will of the "Great White Father" and took up the hoe and plow. That is definitely not the case, according to Wright, as the very basis of their society had relied on agriculture since 1000 B.C. and most of the tribes lived in towns and worked fields communally. The author offers extensive discourse on native population, culture, religion, political structure, economics, warfare, and slavery. He chronicles landmark struggles in the historical record from the 1715 Yamasee War and Pontiac's Rebellion in 1763 to Andrew Jackson's triumph in New Orleans in 1815, as well as the impact of legendary figures Tecumseh, Openchancanough, and the Shawnee Prophet.

Wright also explains how, from the time of first contact and trade, the Indians "had become addicted to and dependent on European manufactures," and how "[n]o prophet wielded enough power to cut that tie" (288). Wright does not fix blame on any one nation or persona in the historical record; rather, he illustrates how it was the culmination of all these significant events that had such an adverse effect on the southern Indians. One interesting conclusion Wright draws deals with the notion that both groups, whites and native peoples, exploited the land. He argues that the Europeans just had better tools with which to accomplish the task with more efficiency. Not much is mentioned, even in today's texts, about that fact.

*The Only Land They Knew: American Indians in the Old South* remains just as important today as it was back in 1981 because, despite the wealth of scholarly attempts to the contrary over the past eighteen years, those old stereotypes still exist. The book brings to life the important players in the struggle for dominance over what is now the southeastern United States with dramatic and vivid descriptions and sly humor. Perhaps Europeans were predestined to eventually

take over this land, but that doesn't mean we should ignore those who were here first. With Wright's help, we certainly will not.

GRANT O. MARTIN  
Towson University

*The Great Silent Army of Abolitionism: Ordinary Women in the Antislavery Movement.* By Julie Roy Jeffrey. (Chapel Hill: University of North Carolina Press, 1998. 323 pages. Notes, index. \$45 cloth, \$18.95 paper.)

A primary contribution of *The Great Silent Army of Abolitionism* derives from its author's method: Julie Roy Jeffrey presents "ordinary" women's abolitionist activism by relying on women's voices, interweaving evidence from diaries, letters, and records of female antislavery meetings with newspaper and other contemporaneous reports of antislavery activities. By relying so heavily on women's own accounts of their activities from the 1830s through the 1860s, Jeffrey conveys a rich, complex history of women's activism that acknowledges the reality of women's everyday lives, challenges that included balancing domestic and abolitionist duties, seeking out or creating new religious communities to accommodate abolitionist beliefs, and even seemingly less troublesome but sometimes more significant tasks such as communicating with other activists if stormy weather prevented rural women from attending regularly scheduled meetings.

In a book that proceeds chronologically, Jeffrey begins by revisiting the 1830s, a period of recruitment and organization for abolitionist women, and contributes a new perspective by highlighting local and personal accounts of women's initial activism. In her study of the 1840s, Jeffrey persuasively argues that women's antislavery activism did not decline but instead took on different and more localized forms, including antislavery fairs and the production of goods that spread the antislavery message. By tracing the alternative paths available to female abolitionists in the 1840s and 1850s, Jeffrey embarks on a particularly interesting and useful discussion of the complex relationship between women and their religious communities in the antebellum era, a discussion punctuated by women's own reports of their approval, frustration, and responses to their clergy's public stances toward slavery. Jeffrey also argues that women were occasionally central, rather than peripheral, to partisan politics in the antebellum era, particularly as new parties with antislavery platforms arose, and provides local evidence to support such novel claims.

During the 1850s, some ordinary women worked to assist fugitive slaves in ways that ranged from donating clothes to harboring fugitives in their homes. Jeffrey's exploration of these activities, particularly through her reliance on women's own letters and diaries, conveys both the importance of these activities to the antislavery cause and also the significance of these activities to women's

lives and daily routines. And in her chapter on the 1860s, Jeffrey emphasizes the role “ordinary” women played in making abolitionism a focus of the Civil War, as well as the ways women shaped the experiences of soldiers and freed slaves through a variety of aid activities.

An intriguing result of Jeffrey’s project is the identification of both common and distinct experiences of northern black and white women during the four decades under study. When Jeffrey explores the experiences of northern women who traveled south as teachers of freed slaves in the 1860s, for example, she highlights the ways race shaped those experiences. Although black women often were more reliant on a salary than their white counterparts and often were humiliated in their travels, black women on average taught in the south for almost twice as long as white women (226–29). Because antebellum histories so often rely on experiences of white women, it is particularly satisfying to hear about black abolitionists including Susan Paul, Mary Ann Shadd Cary, Charlotte Forten, and Sattira Ford Douglas.

Since Jeffrey’s study is so compelling—for instance, she uses women’s own reflections of their activism; includes black and white voices; compares rural and urban women’s experiences; considers the complex relationships between religion, politics, and women’s abolitionism; and traces changes in women’s abolitionist activities over four decades—readers may be left wanting to know more about Jeffrey’s methods. How did Jeffrey discover so many of these “ordinary” women? Approximately how many nineteenth-century women did she encounter while researching this book? (Despite Jeffrey’s disclaimers, it would be easy for readers to generalize about activities that were limited to a small number of women.) In addition, readers may want to pursue some of the lines of inquiry Jeffrey establishes. However, the format of endnotes makes such follow-up difficult: a single note frequently contains citations for an entire paragraph yet the citations are not always clearly linked to specific information in the body of the text. Since Jeffrey’s history relies so successfully on primary sources and offers to its readers new and significant evidence, this technical problem is particularly frustrating.

Ironically, this criticism is significant because of Jeffrey’s success. Jeffrey introduces readers to “ordinary” women of the 1830s through the 1860s: women who, whether they were active in abolition for a few years or for several decades, balanced their antislavery work with the other activities of their lives. Although most were not national or even local leaders in the cause, Jeffrey persuasively argues that these women “formed the backbone of the movement” (2) as she details their extraordinary influence in the religious, political, and social history of antebellum America.

ALISSE THEODORE  
*University of Maryland, College Park*

*A Consuming Fire: The Fall of the Confederacy in the Mind of the White Christian South.* By Eugene D. Genovese. (Mercer University Lamar Memorial Lectures, 41. Athens: The University of Georgia Press, 1998. 196 pages. Notes, index. \$24.95.)

In his Mercer University Lamar Memorial Lectures, published as *A Consuming Fire*, Eugene D. Genovese examines how southern Christians responded to the challenges that slavery, Confederate defeat, racism, and segregation posed to their beliefs. Southern religious leaders, he argues, firmly believed that slavery had divine sanction regardless of the race or religion of slaves. But the instability of slave families and the lack of Christian education among slaves troubled them, suggesting that slaveholders were not acting as the Bible said Christian slaveholders should. Largely unsuccessful at persuading individual slaveholders to mend their ways, southern divines advocated reforming the slave codes. According to these codes, aspects of Christian slaveholding, such as teaching slaves to read the Bible, were illegal. Preachers reassured slaveholders, who feared loosening their grip on slaves would lead to social disorder, that by being good Christian masters they secured God's support for slavery. During the war, southern Christians did not doubt that God smiled upon the Confederate cause. But preachers also suggested that God was using the Yankees to punish the South for their failures as slaveholders and warned that southerners had to continue to prove themselves worthy of His favor. Yet even when the war made God's wrath terrifyingly tangible, southern religious leaders still failed to persuade white Christians to reform slavery. Genovese begins explaining that failure by acknowledging that the planter class was willing to consider a form of personal servitude that encouraged more Christian treatment of slaves and in which they owned only labor power, not laborers themselves. But planters realized that repudiating absolute ownership of slaves would threaten their social and economic power and compromise their ability to compete in the capitalist world economy. Combined with their economic interest in slavery and fear of slave revolts, this realization led planters to resist preachers' calls for reform.

Genovese implicitly suggests parallels between Christian slaveholding and paternalism, an ideal of the master-slave relationship that used the language of family and mutual obligation to confirm and justify planter class power. Although Genovese has in the past focused on paternalism's social and political functions, paternalism emerges here as a religious imperative as well, saving southerners' souls as well as their society. Even as they decried planters' failings as Christian slaveholders, southern religious leaders lent their support to the ideals of both paternalism and Christian slaveholding.

Genovese skillfully employs theological writings and sermons to demonstrate how southern divines' religious beliefs shaped their understanding of sla-

very. The divines' writings reveal much about the complexities of Christian theology and morality in a slave society, but a closer examination of lay people's reactions to the divines' messages could challenge elements of Genovese's argument. Genovese revises his earlier denial of white guilt, conceding that whites felt deeply guilty about their failures as Christian slaveholders, but not about slavery itself. Although he clearly demonstrates that religious leaders wanted southerners to feel guilty, his own arguments about planters' resistance to reforms suggest that they were less troubled by their sins as slaveholders than their pastors would have liked. Genovese convincingly argues that orthodox proslavery theologians could not reconcile scientific racism with their religious beliefs, but he admits that for most southerners, the two comfortably coexisted. He contends that the contradiction between scientific racism and the Bible is important because slaveholders' belief that blacks were an inferior race undermined the divines' efforts to encourage more humane treatment of slaves. But without an examination of how lay people reconciled the two and responded to sermons about the duties of Christian slaveholders, Genovese has difficulty pinpointing the impact of southern divines' reform efforts.

By placing southern religion at the center of his lectures, Genovese's lectures complicate and deepen our understanding of the South in the turbulent years of the mid-nineteenth century. He vividly conveys the dramatic impact of the war and Confederate defeat on white southerners' faith, a relationship that historians often assume but do not examine closely. He also notes the limitations of southern churches' acceptance of a segregated society teeming with un-Christian behavior towards blacks after decades of denouncing un-Christian treatment of slaves. Although southern divines, under pressure from congregations, accepted scientific racism after the war, they remained unable (or unwilling) to provide a scriptural defense of the racial inferiority of blacks. From postbellum segregation back through the war and the defense of slavery, Genovese offers an important reconsideration of the relationships between religion and slavery and between religion and race.

EVELYN CAUSEY  
*University of Delaware*

## Books in Brief

The University Press of Virginia has released *A Republic for the Ages: The United States Capitol and the Political Culture of the Early Republic*, part of the ongoing Perspectives on the American Revolution Series. Edited by Donald R. Kennon, chief historian with the United States Capitol Historical Society, the collected essays represent works presented at the 1993 symposium commemorating the laying of the cornerstone of the U.S. Capitol. The essays explore the ways in which the Capitol's architectural design embodies not only the classical past but also the new American republicanism. Contributors include David Grimsted of the University of Maryland and Frederika J. Teute of the Omohundro Institute of Early American History and Culture.

University Press of Virginia, \$55.00 cloth

Martha Hodes explores inter-racial sexual liaisons and changing power dynamics in *White Women, Black Men: Illicit Sex in the 19th-Century South*. Hodes explores themes of class status and male authority and honor among white families. The author's controversial argument is that under slavery, there existed among white Southerners a degree of tolerance of sexual liaisons between white women and black men. After passage of the Emancipation Proclamation, she argues, such liaisons more often provoked alarm among whites, culminating in white violence toward blacks in the 1890s and later.

Yale University Press, \$16.95 paper

In *Midnight Dreary: The Mysterious Death of Edgar Allan Poe*, biographer and mystery writer John Evangelist Walsh turns his attention to the poet and essayist's final, "lost" days in Baltimore. The author attempts to lay to rest speculation about the cause of the author's death, exploring such theories as acute alcoholism, epilepsy, and head trauma. Walsh suggests that Poe may have been beaten during his final hours by the aggrieved brothers of a woman with whom Poe was romantically involved.

Rutgers University Press, \$23.00 cloth  
D.B.S.

# Notices

## Chesapeake Bay Maritime Museum Events

The Chesapeake Bay Maritime Museum sponsors "Crab Days '99" on Saturday and Sunday, August 7 and 8, from 10 A.M. to 5 P.M. Celebrating the Maryland Blue Crab, the festival will include crabbing techniques, as well as music, boat rides, and children's activities. Steamed crabs will also be available. Activity fees are included in the price of admission; boat rides and food are additional. For information, call the museum at 410-745-2916.

On Friday, August 20, the maritime museum hosts an evening of mystery and magic on a Sunset Cruise. Storyteller Ed Okonowicz will share tales and legends from Delmarva history. Participants are invited to bring a picnic supper for the cruise, which will run from 6:30 P.M. to 8:30 P.M. Pre-registration is encouraged. The fee for adults is \$20; \$18 for museum members. Children under age 12, \$10; \$8 for members.

## Festival at the Carroll County Farm Museum

The Carroll County Farm Museum announces "Common Ground on the Hill's American Music & Arts Festival," which will take place from 10 A.M. to 5 P.M. on Saturday, July 10 and Sunday, July 11. A family-oriented event, the festival will feature traditional music, dance, art, and food. For more information, call Walt Michael, 410-857-2771, or e-mail [cground@qis.net](mailto:cground@qis.net). The museum is located at 500 South Center Street in Westminster, Maryland. The telephone number is 410-876-2667; the toll-free number is 800-654-4645.

D.B.S.

# Maryland Picture Puzzle

This picture puzzle takes us back once again to Wicomico County on the Eastern Shore. Can you identify the location and event shown in this 1886 pho-



tograph? The spring picture is Old Green Hill Church, now Saint Bartholomew's Episcopal Church, on the Wicomico River. Congratulations to Edward M. Perdue, James T. Wollon Jr., Mary R. Dunlap, and William Hollifield, who also correctly identified the winter photograph.

P.D.A.



# Maryland History Bibliography, 1998: A Selected List

ANNE S. K. TURKOS and JEFF KORMAN, Compilers

Since 1975, the *Maryland Historical Magazine* has published regular compilations of books, articles, and doctoral dissertations relating to Maryland history. The following list includes materials published during 1998, as well as earlier works that have been brought to our attention. This selected list includes titles which relate most strongly to readers' and scholars' interests in Maryland history. The full compilation is available on the society's web page, located at <http://www.mdhs.org>. For recent publications in genealogy and family history, see the *Maryland Genealogical Society Bulletin*.

Bibliographers must live with the fact that their work is never finished. Please notify us of any significant omissions so that they may be included in the next list. Send additional items to: Anne S. K. Turkos, Archives and Manuscripts Department, McKeldin Library, University of Maryland, College Park, MD 20742.

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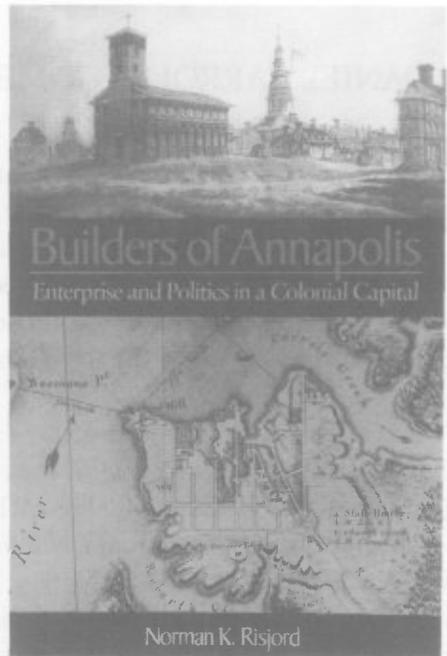
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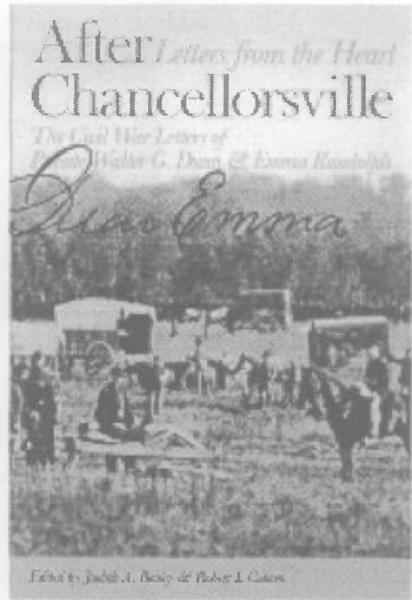
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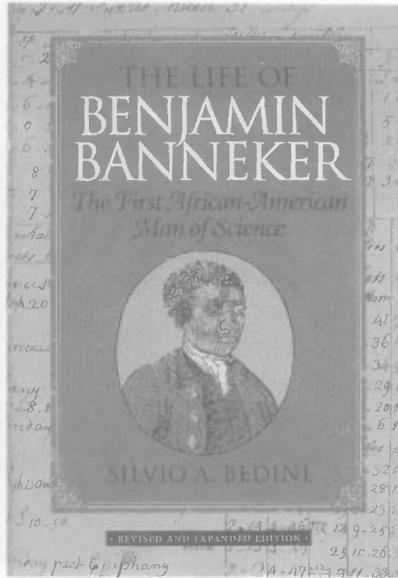
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