

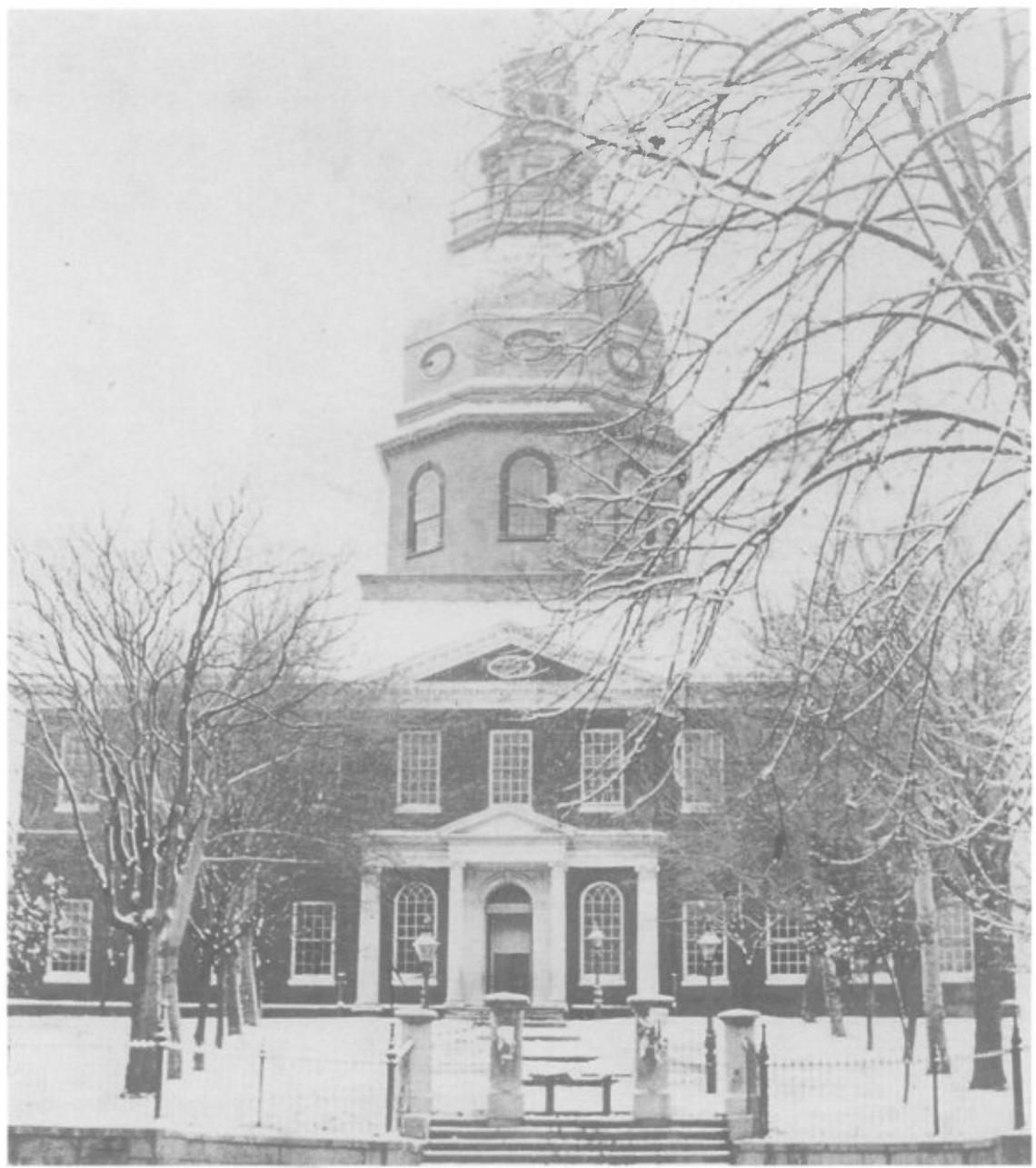
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MARYLAND

Historical Magazine



THE MARYLAND HISTORICAL SOCIETY

Founded 1844

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MARYLAND

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Touched by Fire

Of all the places on earth one would not like to be, few are worse than a Civil War hospital. Those who came to the battlefields to give aid and comfort to the wounded had no idea what they were in for. Those who knew tried to warn them, but, in the words of one shattered woman, "Alas! Nothing that I had ever heard or read had given me the faintest idea of the horrors witnessed here. I do not think that words are in our vocabulary expressive enough to present to the mind the realities of that sad scene." Little wonder. Bodies covered the floor. The stench of blood, gangrenous limbs, and human waste was unendurable. Surgeons hoisted men and boys, one after another, onto makeshift tables slick with blood. The shrill cry of bone saws clawed at sanity. One man, who was assigned to carry piles of arms and legs to a trench for burial, fled after a single day. A surgeon who had worked for fifteen hours without rest or food dropped his implements, walked outside, and collapsed against a fence. "I could do no more," he said. "I went out by myself and . . . wept like a child. And all that day I was so unnerved that if any one asked me about the regiment, I could make no reply without tears."

People who witnessed sights like those, and worse, did not easily forget them. A major aspect of the war that until recently has gone almost entirely unnoticed and uninvestigated is the psychological effect it had on the men and women who endured it and the havoc it afterward wreaked on them, their loved ones, and their communities. Soldiers—many, but we do not know how many—returned home distant and angry. They took out their rage on anyone handy: spouses, neighbors, friends, strangers, often when someone made an innocent remark about the army. Crime statistics rose. Jails and insane asylums quickly reached, then exceeded, capacity. Men who had lived on morphine, freely dispensed in both armies, needed it still for the chronic pain of wounds. (A single Philadelphia pharmacy turned out a million morphine tablets a year.) One who has ventured into this field of post-war psychology is Eric T. Dean Jr., from whose work, *Shook Over Hell: Post-Traumatic Stress, Vietnam, and the Civil War* (Cambridge: Harvard University Press, 1997) I have extracted much of the material above. Another is Kathryn Lerch, whose articles on the 8th New York Heavy Artillery have appeared in this journal, and whose book-length history of that regiment for this press is nearing completion.

A third, and entirely accidental, investigator is Elizabeth Jo Lampl, whose contribution appears in this issue of the magazine. Lampl is, on most days, an architectural historian who, in the course of her work, happened upon a "small metal trunk" filled with letters to and from Clara Barton, founder of the American Red Cross. The letters do not materially change the outline of Barton's life but they

will alter the way we view her and will affect future biographies of the Civil War heroine. We already knew from her diary—that is, we knew once we knew to look—that in the decade following the war Barton suffered the physical symptoms of veterans of the worst battles. “I could not get warm,” she wrote, and “lost myself a few moments, and came to myself a perfect wash of perspiration.” She experienced bloody diarrhea, muscular atrophy, neuralgia, nervousness, fatigue, and chronic depression, and at last checked herself into a sanitarium. Two years later she emerged and resumed the arduous work she had set out to do, but this time with a difference. Beginning with Julian Hubbell, a young man twenty-six years her junior, Barton became both emotionally dependent and psychologically dominating and manipulative with a series of men in their twenties even as she neared ninety. Barton’s correspondence with Hubbell is astounding to those who thought they knew her. She began referring to herself as “Mamie” and the two wrote in what can only be called “baby talk.” She addressed him as “My precious Little Boy,” and he responded with, “He wishes that he could see Mamie a little while, yes he does. Need I say he misses her?” One need not be a psychiatrist to suspect that something is amiss here.

We have read and written much about the Civil War, some would argue too much, but clearly there is work left to do. We welcome Elizabeth Jo Lamp’s surprising discovery as part of the beginning.

R.I.C.

Cover

State House, Annapolis, c. 1870

This fourth seat of Maryland’s government replaced two earlier structures in Annapolis, one of which burned in 1704. The second state house stood for sixty years, until 1770, when the assembly voted in favor of this larger building. Joseph Horatio Anderson designed the current chamber and builder Joseph Clark modified it several years later with features such as a steeper roof for better drainage. State officials laid the cornerstone in March 1772, but funding shortages and damage from lightning strikes delayed construction. The new state house, “sufficiently completed,” opened in time for the General Assembly’s 1779 winter session. This building has housed Maryland’s government for 224 years and served as home to the United States Congress in 1783 and 1784. The Maryland State House is “now the oldest state house in continuous use in the country.”

P.D.A.



Prodigies and Portents: Providentialism in the Eighteenth- Century Chesapeake

KATHLEEN S. MURPHY

On the morning of All Saint's Day, November 1, 1755, a "dreadful EARTHQUAKE, which laid the Capital of Portugal in Ruins . . . [and a] Fire which thereupon broke out in several Parts at once . . . burning furiously for five successive Days, reduced that whole Metropolis to Ashes; rendering it such a Spectacle of Terror and Amazement, as well as of Desolation to Beholders, as perhaps has not been equalled from the Foundation of the World!" An English merchant's letter, reprinted in the *Maryland Gazette* on May 20, 1756, offered this eyewitness account of the earthquake that all but leveled Lisbon and caused fires throughout the city. When survivors crawled out of the rubble they found a city in ruins and an artificial night created by the dust and smoke of the destruction. Modern estimates of the death toll place it between 10,000 and 15,000, but contemporary estimates ranged as high as 110,000—in a city of 275,000 inhabitants. The disaster had far reaching effects. The earthquake caused damage in southwestern Spain and Algiers, and the tremors were felt in France, Switzerland, Italy, and across North Africa. Although the colonial Chesapeake did not directly experience the cataclysm, the psychological and theological aftershocks reverberated there in sermons and newspaper accounts.¹

On November 18, 1755, before news of the calamity reached the Chesapeake, colonists from New Hampshire to Annapolis felt smaller tremors. In late November and early December, the *Maryland Gazette's* printer speculated that these quakes were "*peculiar Tokens of His [i.e. God's] Anger.*" On January 8, 1756, the first news of the much more destructive Lisbon earthquake appeared in the colony's newspaper. Over the course of the next two months, each issue of the *Gazette* contained more news about Lisbon's tragedy and the tremors felt throughout Europe and North Africa. On January 15, the *Gazette* printed a "short and imperfect but surprizing and melancholy Account" taken from Boston and Philadelphia newspapers. By the end of January the papers contained eyewitness accounts from ship captains who had been in Lisbon harbor on that fateful day. Jonas

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Opposite: Detail from Lisbone abysmée, an eighteenth-century French view of the 1755 Lisbon earthquake.

Green, printer of the *Maryland Gazette*, supplemented these testimonials with encyclopedic articles describing Lisbon's economy and demography, reprints of English sermons, and natural philosophical essays offering explanations of the natural causes of earthquakes. This flurry of concern and speculation occurred at a time when news of poor colonial harvests, famine, and war with the French and their Indian allies preoccupied the minds of the *Gazette's* readers and dominated the newspaper's pages.² Why this seemingly aberrant attention to natural disasters and their causes occurred in a supposedly secular society forms the central question of this essay.

Sermons and reports in the *Maryland Gazette* interpreted the earthquakes of late 1755 either as warnings from God calling his people to repentance or as apocalyptic omens. Neither of these themes of chiliasm or repentance are to be expected. Most historians locate the decline in a providential interpretation of prodigies (unusual events in the natural world) to the late seventeenth century, or in some cases, the first quarter of the eighteenth century.³ Scholars of Chesapeake religion argue that, rather than attempting to interpret every thunderstorm, illness, or earthquake as a message from God, the region's ministers emphasized the order and regularity governing His creation. This emphasis reflected the influence of Newtonian science, which demonstrated the divine design and orderliness of the universe. The rational Christian could comprehend this structured universe and uphold it through moral, orderly behavior. Such a theological bent created in the eighteenth-century Chesapeake a rational religion that replaced fear of nature with an optimistic belief that it was knowable to man.⁴ Reactions to the earthquakes of 1755, expressed through Chesapeake sermons, newspapers, and diaries, illustrate how this standard account of the decline in wonders underestimates the tenacious hold of a providential interpretation of the world.

In a providential universe, God directs all events, whether in the natural world or in human life, from the most trivial occurrences (ordinary providences) to the most awesome aberrations of nature (special providences). These divine interventions or wonders served as signs of His pleasure and judgments of His wrath, from which men could perceive His purpose and favor. Such interventions could be either general providences, those that affected the entire community, or particular providences, those misfortunes that befell the individual.⁵ Eighteenth-century providentialism in regions outside colonial New England and the metropole has received little scholarly attention. Although a few scholars have acknowledged the persistence of providentialism in the eighteenth century, they have not explored the forms this persistence took.⁶ The decline in providential interpretations was not an even one; natural phenomena that are predictable or periodic, like hurricanes or comets, are likely to lose their providential power before others, like earthquakes and epidemics, which are difficult to forecast. Additionally, histories of Chesapeake religion rarely address belief and personal piety, focusing

instead on institutional strength, rise of dissenting denominations, and the paucity of Anglican ministers. Most accounts portray a society in which materialism and secularism reigned and in which a weak established church had little impact on people's lives.⁷

This essay argues, by contrast, that providential interpretation, though under challenge, persisted alongside both a growing body of knowledge about the mechanical laws governing natural phenomena and an increasing emphasis on moral rationalism and order. It explores providentialism in Chesapeake society by focusing on the reactions of white, Protestant settlers to natural disasters and other wonders. It begins by probing the ways in which colonial newspapers, sermons, and diaries invoked and discussed providentialism and the "world of wonders." A second section examines the interplay between secondary and ultimate causes as explanations of wonders and argues that knowledge about the mechanics of secondary causes supplemented rather than replaced the idea that God sent natural calamities as a warning. The final section considers the belief that national sins caused general providences and looks at the role of public fast days as communal responses to such disasters. In each, a providential interpretation of wonders had a much longer lifespan in the colonial Chesapeake than previous scholars have thought. If religion is "the thirst to systematize the unknown," the discovery of a providential worldview promises to uncover an under-explored aspect of Chesapeake society.⁸

When Chesapeake settlers weathered a severe storm, witnessed neighbors dying in epidemics, and found their homes threatened by war, they did not simply marvel at the complexity of creation. Instead, they considered such events as divine punishments or as emblems of the Last Day. Stories of the strange, wondrous, or tragic were frequently reported in Chesapeake newspapers. These same stories became the subjects for sermons, in which preachers used such wonders to encourage moral reformation among their parishioners.

In the seventeenth century, Virginians by all accounts viewed the world in standard providential terms. Colonial leaders believed that the devastating Indian attack of 1622 demonstrated "the Hande of God sett against us . . . for the punishment of our ingratitude in not being thankfull . . . [and] for our greedy desires of present gaine and profit."⁹ After the next major conflict with Indians in 1644, one colonist attributed his family's survival to a fortunate omen. His wife noticed drops of blood in the washtub that failed to stain either hands or linen, and "upon this miraculous premonition and warning from God having some kinde of intimation of some designe of the Indians . . . I provided for defense."¹⁰ Twenty years later another prominent Virginian interpreted bad harvests, unusually frequent run-ins with wolves and bears, and increased threats of Indian attacks as "prognosticks of Gods Judgments." Similarly, in his *Beginning, Progress and Conclusion of Bacon's Rebellion* (1705), Thomas Mathew described a large

Prodigy Reporting in the *Virginia Gazette* and *Maryland Gazette*

	1738 ¹¹	1749*	1752	1766	1772	1784*
comets & celestial phenomena	3	3	—	1	1	3
earthquakes	4	3	4	—	2	6
hurricanes	6	2	2	2	3	1
lightning	2	5	3	5	6	2
monsters & curiosities	4	3	2	—	—	—
providential deaths	—	2	2	—	—	1
Total	19	18	13	8	12	13
Extant newspapers	50	50	52	43	53	52

* Maryland Gazette; remaining entries are from the *Virginia Gazette*

comet, flocks of pigeons that filled the skies, and “Swarms of Flyes . . . coming out of Spigot Holes in the Earth” as signs that prefigured rebellion in 1676.¹² Like their New England and English counterparts, seventeenth-century Virginians interpreted the vagaries of life as direct interventions from God.

Eighteenth-century Chesapeake residents continued to be interested in stories of freak accidents, providential deliverances, and deformed animals, if the *Virginia* and *Maryland* newspapers are any indication. Nevertheless, a sampling of the newspapers over the eighteenth century suggests that the emphasis shifted over time. In its first decades the *Virginia Gazette*, first published in 1736, covered a wide range of wonders. Extant papers from 1738 included nineteen entries of the strange, coincidental, or marvelous. Of these, two referred to death or property destruction by lightning, four to earthquakes, six to “extraordinarily” violent storms or hurricanes, one to an apparition in the sky, two to comets, and four to “monsters.” Likewise, the *Maryland Gazette* for 1749 reported three “monsters” (a six-legged horse, a giant with wings, and “frightful sea monster”), three celestial phenomena, two hurricanes, five destructive lightning strikes, and two providential deaths. The thirteen reports of marvelous or providential nature in the *Virginia Gazette* in 1752 represent a similarly eclectic group. By the 1760s and 1770s, however, reports of curiosities or monstrous births declined, though those of unpredictable wonders—men killed by lightning, unusually violent hurricanes or thunderstorms, and earthquakes—continued. While the range and frequency of prodigies waned, fascination with the workings of providence through natural means was constant throughout the eighteenth century.¹³

Although Chesapeake newspapers reported aberrations that, in the traditional canon of wonders could have been interpreted to have moral meanings, most appeared in the newspaper without commentary or interpretation. A letter from London printed in the *Virginia Gazette* in 1738 reported a female workhouse inmate who miscarried three times, “the first time with a Male Child, the next Day

with a Female Child, and the third Time with a Monster, which had a Head and a Body like a Toad, and a Tail like a Rat." Such a story of a monstrous birth traditionally would have been explained in terms of the immorality of the child's parents or as a warning for the community to repent. The *Virginia Gazette*, though, left the reader free to draw any meaning or simply to read it for entertainment. Reports of wonders, once assumed to be divine messages, could be merely curiosities.¹⁴ With their focus on describing, rather than explaining, the curiosity, such reports fell into the Baconian tradition of collecting facts unencumbered by theories. The records of the early Royal Society are full of similar descriptions of rarities—monstrous births, earthquakes, dwarfs and giants—with few explanations offered. Once enough samples had been collected, Bacon suggested, the natural pattern would become evident.¹⁵

Nevertheless, news items could serve as a springboard for providential interpretations in ministers' weekly sermons. When Presbyterian minister Samuel Davies of Hanover County, Virginia, and Anglican minister Thomas Cradock of St. Thomas Parish in western Baltimore County, Maryland, addressed their respective congregations on the lessons of the Lisbon earthquake, both assumed that many of their parishioners were familiar with the details of the disaster. Davies began his sermon with a disclaimer that "such of you as have read the public papers, need not be informed of that wide-spreading earthquake," and briefly reviewed the details. Cradock argued that since news of the earthquakes and "the monstrous and shocking barbarities" of the French and Indians "have already often from their place made your ears to tingle and struck your souls with the most horrid amaze" he need not review what happened but could move directly to interpretation.¹⁶

Cradock found the meaning of the earthquakes in a combination of millenarianism and a need for moral reformation. He warned his congregation that the "shakings" in Lisbon suggested the end of the world was near:

The day of the Lord seems indeed to be at hand. Within this year what terrible signs and forerunners have we not had of it? Let whole nations almost [be] destroyed . . . and this hath not happen'd only in one part of corner of the world, but all parts of it have offer'd more or less . . . earthquakes alone have not been the only forerunners of this terrible day, wars, famine, storms, burnings, such as have scarcely ever been heard of before, join their united force, and seem to declare to us the near arrival of that tremendous period.¹⁷

Cradock believed that the sins of the people of the Chesapeake, in particular blasphemy, Sabbath-breaking, and dissolute living, had provoked divine judgment in the form of earthquakes and war. Although the signs pointed to the Apocalypse, he left open the possibility that

if we will continue to endeavour by our good lives, by our obedience to his laws and walking in the way of his commandments, still to deserve his mercy and protection, there is no doubt but that he will still permit us [to] enjoy what he hath so long graciously bestowed upon us, and our children and our children's children will possess it after us.¹⁸

Central to either reading was an urgent need to repent, in order to avert further punishment or to prepare for Judgment in the Second Coming.

Likewise, Davies called his congregation to “humble yourselves before God, for your past conduct; and prepare, prepare to meet him, in the midst of a burning world.” Davies told his parishioners that the destruction of Lisbon should cause them to consider the majesty and power of God, to reflect on the sinfulness of the world, and to reform the sinful ways under which the world “has groaned.” For every part of the globe that felt an earthquake, Davies identified the sinners responsible: “deluded Mahometans” in Morocco, superstitious and licentious Catholics in Portugal, Spain, and France, and deists and libertines in England and the Netherlands.¹⁹ Like Cradock, Davies also warned his Hanover congregation that the four classic signs of the Second Coming, “the famine, sword, pestilence, and earthquake,” seemed manifest. Uncharacteristically, Davies was more restrained than Cradock, referring to the signs, particularly the earthquake, as “lively representations” rather than evidence of imminent Judgment.²⁰

A similar mix of eschatology and calls for repentance characterized the English sermon reprinted in the *Maryland Gazette*. The front page of the March 11, 1756, issue featured this jeremiad inspired by the Lisbon earthquake. It argued “that Earthquakes generally happen in populace Places, in the richest Cities; and it is well known, that where there is most People and most Wealth, there Iniquity commonly most abounds.” Readers should not infer “that *Lisbon* exceeded in Wick-edness all other Christian Cities,” but they would do well to remember “the Advice in the Gospel, that if we do not Repent, we also shall perish.” Britain might have been spared from the earthquake, but if her people did not purge corruption, irreligion, and superstition, God would “sink” the country “by gradual Decays of Trade; by long, expensive, successless Wars; or by intestine Broils.”²¹ Although Cradock, Davies, and the anonymous author of the *Gazette's* sermon were divided by geography and denomination, they each interpreted the earthquakes as a call for their respective congregations to repent and as indications that the Second Coming might be at hand.

Like earthquakes, epidemics seemed to some a sign that repentance was necessary to avert further punishments. In 1721, Virginia gentleman William Byrd II anonymously published a pamphlet, which discussed an outbreak of plague as a sign of the sinfulness of the English people. The London plague, like that sent upon Egypt in the book of Exodus and the pestilence sent to chastise David, was a mani-

festation of God's displeasure. Even the pagan, wrote Byrd, believed that Apollo sent sickness to the Greeks, but first warned them by infecting their dogs and mules, giving them time to repent and avert further disaster. If the London plague fell within this tradition of pestilence as divine judgment, then "we may . . . venture to believe . . . that this mortal arrow is shot from the quiver of the Almighty: and then surely the most reasonable remedy we can use against it, will be a sincere repentance and reformation."²² If there was any hope of natural remedies curing the sick and preventing the further spread of the disease, Londoners first would have to examine their collective consciences and repent of the sins that had brought this calamity upon them.

In the second half of the century, Davies and Baltimore's Anglican minister Joseph Bend similarly interpreted disease as a manifestation of the Almighty's displeasure. Davies interpreted a "raging distemper," combined with the French and Indian war and a "threatened famine," as "the effects of the corrective and vindictive providences of God towards our land."²³ Likewise, when Philadelphia experienced "a malignant fever" in 1793, Bend urged his listeners, "by fasting, humiliation, & prayer to stay the hand, which afflicteth your brethren, & to avert from yourselves the calamity, under which they are mournfully groaning."²⁴ War, poor harvests, famine, severe storms, and even the power of thunder inspired Chesapeake ministers to write sermons, and occasionally even hymns, addressing the sinner's need to repent.²⁵

The political and economic affairs of men, in addition to natural calamities, stimulated providential interpretations. Britain's enemies could be the instruments with which God corrected his people. Preaching to his Hanover congregation on the occasion of a fast day during the French and Indian War, Davies discerned the chastising hand of God behind British military losses and the drought plaguing Virginia farmers. He warned his flock,

I know not what a provoked God intends to do with us and our nation. . . . It seems but too likely, though it strikes me with horror to admit the thought, that a provoked God intends to scourge us with the rod of France, and therefore gives surprising success to her arms.²⁶

Similarly, John Moncure of Overwharton Parish, Stafford County, Virginia, preaching on the occasion of the same fast day, warned his congregation that further judgments, in the form of war, would befall the people of America unless they repented of their wickedness.²⁷ Like disease or earthquakes, wars could represent the rod with which God smote his people.

Rather than interpret events as evidence of divine judgments for previous sins, strange occurrences could be interpreted as indications that the end of the world was quickly approaching. Eyewitnesses to unusual phenomena reported in

Chesapeake newspapers believed that they signified the Apocalypse. In 1756 a red sky in Edinburgh caused many to believe the end was approaching. According to the *Maryland Gazette's* correspondent,

The Sky towards the North had a most terrible Appearance, being the Colour of Blood, the Reflection of which gave every Object the same Colour; this Appearance continued from four in the Morning 'til Sun Rise, to the great Amazement of many Spectators. It has given Rise to a Number of Prophecies concerning the End of the World, so that the Streets are now filled with Pamphlets, which are cried up and down, signifying the Time is just at Hand.²⁸

A report from Halifax County, Virginia, ten years later demonstrated a similar concern, noting "an amazing shower of hail . . . the noise which preceded the shower, and the shower itself, which lasted near an hour, were so dreadful that many people began to apprehend the last day to be at hand."²⁹ No matter how imminent, millennial interpretations shared a belief that the appropriate response to such wonders was moral reformation.

How to interpret a particular wonder remained open to debate. Although Edmond Halley's study of comets was published in 1705 and confirmed in 1758, comets continued to have portentous associations for many people. A comet visible in Virginia in 1769 caused such unease that the *Virginia Gazette's* publisher, Alexander Purdie, chose a piece for the "Poet's Corner" that explained the appropriate "enlighten'd" response to these celestial bodies. Purdie dedicated the piece "to such as are under apprehensions about the present Comet let them hear what the immortal Thompson sings of those rare phenomena." According to Thompson, at the sight of a comet sinking below the horizon,

The guilty tremble. But (above
Those superstitious horrors that enslave
The fond sequacious herd, to mystick faith
And blind amazement prone) th' enlighten'd few,
Whose godlike minds philosophy exalts,
The glorious stranger hail: They feel a joy
Divinely great, they in their power exult.³⁰

The 1769 comet caused unease among the "superstitious" that "gentlemen astronomers" attempted to quell through precise descriptions of the phenomenon. A letter from London dated August 29 reported that,

For some nights past a comet has appeared in the hemisphere, of a livid blue colour, situate to the right of the Pleiades, a little below Taurus. As there is

none expected at this time, it gives rise to various conjectures; and it is hoped the Gentlemen astronomers will give a fuller account of its dimensions, situation, and progress.³¹

Gentlemen astronomers in England, New Jersey, and Virginia complied, contributing an additional four accounts of the comet that detailed its estimated length, exact position, and conjectures about its trajectory.³² Both Thompson's poem and gentlemen astronomers' reports attempted to draw a distinction between the wise who exalted at the power of God in comets and in their own knowledge, and the credulous who trembled in fear. By setting their own dispassionate investigations against the "superstition" of the vulgar, colonial astronomers laid claim to their status as gentlemen.³³

The prevalence of repentance and chiliasm among the responses to the Lisbon earthquake and other natural calamities demonstrates areas in which a providential understanding of the world persisted. Although under siege, providentialism remained a powerful way to make sense of disaster, especially an earthquake or plague that affected large numbers of people. The flexibility of providential thinking is even more evident in its capacity to incorporate new discoveries about the laws of nature while upholding the traditional explanatory function of wonders.

In the aftermath of the 1755 disaster, a report in the *Maryland Gazette* suggested that earthquakes were the "effects of the extraordinary Raging of vast subterraneous Fires." It was commonly believed that earthquakes, like volcanoes, were the result of the violent reaction of various liquids and vapors in underground caverns.³⁴ Such a theory about the natural laws governing geological phenomena was part of a larger intellectual movement inspired by the work of Newton and embodied in the institution of the Royal Society, which sought to use human reason to unravel the secrets of nature. Critics argued, however, that focusing on natural laws ("secondary causes") could detract from God's role as the ultimate cause of natural calamities. Yet the *Maryland Gazette* printed mechanistic explanations of earthquakes alongside depictions of an angry, interventionist divine force.³⁵ Although secondary and ultimate causes were often found side-by-side, debate continued about the appropriate use of such knowledge. Rather than see mechanical knowledge as axiomatically in conflict with the providential direction of God, the two mingled.³⁶

Some theologians went to great lengths to reconcile providentialism with mechanical philosophy. They argued that portents were an ingenious part of the original plan of creation, set to go off as warnings to men at the exact moments God knew them to be necessary.³⁷ Samuel Davies took this tack to reconcile secondary and ultimate causes of the earthquakes of 1755 when he asked his Hanover congregation,

May not the wise Contriver of the machine of nature have placed in it certain *hidden* springs, which, like the stroke of a clock at the hour, will move and operate at the appointed period, and rouse the attention and admiration of a stupid world? Besides the causes of the *daily familiar* phenomena of nature, may there not be causes *in reserve* for some grand purposes to produce some strange unusual phenomena, adapted to the exigencies of some extraordinary periods?³⁸

Such an interpretation allowed Davies to reconcile providential warnings with the doctrine of predestination. As a New Light Presbyterian, his theology leaned more toward Calvinism than his Church of England counterparts, who generally acknowledged that secondary causes did not limit the ultimate cause without resorting to a complicated scheme built into original creation.

Natural explanations of secondary causes could also explain portents and even Biblical miracles. Virginia planter Landon Carter noted in his diary that “the great [William] Whiston,” who was a cleric and natural philosopher, took his interest in understanding secondary causes too far when he argued in *A New Theory of the Earth* (1696) that a comet’s effect on the tides explained the biblical flood.³⁹ Carter remained committed to the investigation of secondary causes as a godly and useful enterprise, since “the carrying a conjecture too extravagantly forward does not in my Opinion lessen a presumed Philosophy in any Natural Cause.”⁴⁰

Although the master of Sabine Hall thought Whiston overextended himself in trying to reconcile natural philosophy with revelation, Carter constantly attempted to balance his active participation in the world of Newtonian science with his pious understanding of the world as under the direct control of God. When one of his ewes bore twin lambs sharing one common neck and head, Carter had his slave Nassau “open the bodies of this extraordinary production through the one mouth.” The only conclusion he recorded after the autopsy was that “perhaps it is not in the power of man to assign a cause for such a perversion of nature.”⁴¹ He approached the conjoined lambs as an area of scientific investigation of the power of God in nature. In this instance, Carter concluded, even understanding the secondary cause was beyond the power of man.

Chesapeake ministers urged their congregations to use explorations of the natural world, such as Carter’s autopsy, for religious inspiration. Carter’s experiment and reflections would have illustrated for Thomas Chase, Anglican minister of Somerset (and later Baltimore) County, the religious value of the pursuit of natural philosophy. For the men “who study, & contemplate the Phaenomena of Nature, which are the works of God,” Chase noted,

the further they carry their inquiries, & the deeper Discourses they make, the

more, & the more undeniable evidences they perpetually find, that the works of Nature are not the Blunders of Chance, or the blind Effect of unintelligent Fate; but the continual operations of God, who governs all things by the uninterrupted of care & interposition of an all wise Providence which neither slumbers, nor sleeps, & from whose Directing nothing exempted at any time, or in any Place.⁴²

Virginia commissary James Blair and botanist John Clayton voiced similar beliefs that the marvels of creation inspired men to religious contemplation and evidenced the continual presence of God in the world.⁴³ Rather than at opposition, natural philosophy supported religion, these men believed, and encouraged a providential worldview.

Ministers such as Blair, Davies, and Chase usually referred to the natural laws behind the wonders that were the subjects of their sermons, but they went to great pains to stress that the secondary cause in no way eclipsed the ultimate one. In his sermon on “The Religious Improvement of the Late Earthquakes,” Davies hypothesized that,

Our globe is stored with subterranean magazines of combustible materials, which need but a spark to produce a violent explosion, and rend and burst it to pieces. What huge quantities of these sulphurous and nitrous mines must there be, when one discharge can spread a tremor over half the world, bury islands and cities, and shatter wide-extended continents!⁴⁴

Davies then used this natural explanation of earthquakes, similar to the explanation found in the *Maryland Gazette*, to set his hearers in mind of the tremors that will be felt at the end of the world. In another sermon from the same period Davies cited the “calculation of that great philosopher, Doctor Halley” predicting a comet in two years, which “according to Sir Isaac Newton’s calculation, [is] two thousand times hotter than red-hot iron” as an additional indication of God’s judgment.⁴⁵ The “huge quantities of these sulphurous and nitrous mines” that, through natural philosophy, man has discovered, offered testimony to the means that God could employ when judgments and warnings were necessary.

Acknowledging secondary causes did not lessen the providential import of a wonder. As Landon Carter wrote after a severe hail and thunderstorm, “the Storms of Elementary confusion though natural in their causes and not uncommon, may nevertheless be exercised on man as instruments of divine wrath.” Following the report of earthquakes felt along the eastern American seaboard, Jonas Green, printer of the *Maryland Gazette*, argued that “doubtless various natural Causes may be assigned for these extraordinary Convulsions; but surely no one will question the Agency of the supreme Power, who *maketh the Earth to tremble, and whose*

Voice shaketh the Wilderness."⁴⁶ Likewise, a report from New Haven combined mechanistic theory and apocalyptic thinking. The report noted, "as Earthquakes are undoubtedly the Effects of the extraordinary Raging of vast subterraneous Fires, they ought to put us in Mind of the general Conflagration and future punishment."⁴⁷ Natural philosophers might claim to understand how an earthquake functioned, but it still was the voice of God that "maketh the Earth to tremble."

Understanding secondary causes of providential judgments led to some concerns about the proper use to which such knowledge should be put. With divinely provided scientific knowledge at mankind's disposal, William Byrd argued that it was sinful not to use it for the improvement of the world. In Byrd's discourse on the plague, repentance and reform were necessary first steps, but they did not preclude pursuing the recourses available through medicine and natural philosophy. On the contrary, Byrd reserved his greatest condemnation for the Turks, who "will tell you, that if the Plague be writ by fate in their foreheads, all the precautions in the world can't prevent it." Such fatalism dishonored God who "is pleas'd to send this great calamity upon us by natural ways, so it seems agreeable to his wise providence, that we should endeavour both to prevent and cure it by natural applications."⁴⁸ Since God worked through natural channels, men could hope to remedy the resulting misfortunes through these same natural means. At the end of the century Joseph Bend preached a similar theme in response to the "malignant fever" raging on the eastern seaboard. This epidemic, warned Bend,

will prove that "where the Lord keepeth the city," its safety cannot be endangered. Let not this, however, deter you from using any of the human means for preserving you from the grievous malady now raging in our land . . . altho' without the blessings of Providence, we vainly expect to be preserved from disease; yet our own care, prudence, & exertions, are necessary on our part.⁴⁹

Although faith in natural philosophy must never replace faith in God, to ignore God-given remedies was an insult to the mercies He provided.

Yet to use knowledge as protection from nature's potentially destructive power was to risk usurping divine will. William Johnson, who sold lightning rods in addition to lecturing on electricity, was concerned enough to defend his product in the Virginia newspaper. He argued that, "instead of having any just objection thereto, from a persuasion of its being presumptuous, we have the utmost reason to bless GOD for a discovery so important and eminently useful."⁵⁰ In a similar vein, an essay on the natural causes of lightning and the "most approved method of securing a house or vessel" included a defense of the investigation of natural causes.

To those who neglect using the means of safety which Providence has put into their hands, from a notion that it is presumption to attempt averting it,

feeling it cannot hurt nor annoy us unless commissioned by the all-wise Governour of the universe, it may be answered that the plague, or any epidemical disease, is certainly as much commissioned as lightning; and there are few or no Christians who account it presumption to consult the physician, or use the proper remedies for prevention or recovery.⁵¹

Although theories about how to treat a disease and how to avoid a lightning strike became commonplace, the appropriate application of this expanding body of knowledge continued to be a source of concern throughout the eighteenth century.

Although there was no consensus on the proper uses to which natural philosophy could best be put, there was general agreement that such knowledge did not necessarily endanger a providential interpretation of the world. Newtonian science illustrated the order and design of creation, but it also could support a providential causality of disasters. The presumption was that God was active in this world, capable of working through secondary causes to comment on the sins of people and, particularly of nations.

When earthquakes rumbled in late 1755, ministers, pamphleteers, and newspaper printers in the Chesapeake, New England, and throughout Europe called for nations to repent to avert further punishments. Since large-scale disasters were divine judgments on the community, they required communal action. The response often took the form of public fast days. According to Bishop Thomas Sprat's *History of the Royal Society* (1667), "whenever therefore a hevvy calamity falls from *Heven* on our *Nation*, a *universal Repentance* is requir'd; but all particular applications of privat men, except to their own hearts, is to be forborn."⁵² The types of wonders that elicited providential interpretations in the eighteenth-century Chesapeake paralleled the distinction Sprat drew between general providences and particular providences. Particular providences encouraged individuals to find moral meaning in the daily occurrences of their lives. After the Restoration, English philosophers and theologians, especially those linked to the established church, associated such uses of providentialism with religious enthusiasm. To many contemporaries, such enthusiasm had contributed to, if not caused, the English civil wars. The widespread nature of general providences such as epidemics or earthquakes, however, seemed to offer such an unmistakable divine message that Anglican theologians continued to recognize their providential meanings throughout the eighteenth century.

John Tillotson, perhaps the most widely read theologian in the eighteenth-century Chesapeake, drew a similar distinction between punishment for nations and for individuals.⁵³ Like most of his late-seventeenth-century contemporaries, Tillotson warned against individuals interpreting wonders as particular providences because of the potential for such practices to challenge the authority

of the state. Tillotson emphasized God's dealings with the nation, rather than the individual. He taught that general providences were the only forum in which nations could be punished, "because publick bodies and communities of men, as such, can only be rewarded and punished in this world." In the course of his providences, Tillotson argued, God rewarded virtuous nations with "temporal blessings and prosperity . . . but the general and crying sins of a Nation cannot hope to escape publick judgments, unless they be prevented by a general repentance."⁵⁴ Even those theologians, such as Tillotson, who discouraged individuals from interpreting personal misfortunes in terms of particular providences, believed that providential judgments explained disasters that affected the entire community.

Interpreting events as particular providences seems rare in the Chesapeake. William Byrd was unusual in interpreting the death of twelve of his slaves in terms of particular providence: "these poor people suffer for my sins; God forgive me all my offenses and restore them to their health if it be consistent with His holy will."⁵⁵ Byrd assumed responsibility for the sickness infecting his entire household. Only through Byrd's personal repentance was there any hope for the recovery of the rest of his slaves.

The Presbyterian Henry Patillo worried not at the afflictions shown to him, but at their absence. In his surviving diary fragments Patillo, who was studying under Davies to prepare for the ministry in the 1750s, wondered why his family had been spared from the flux raging in Hanover County, Virginia, which occasioned a fast day on October 21, 1756. Rhetorically he asked, "Am I a being of such Importance as to hope the Almighty will work a Miracle in purifying the air of its noxious Particles for me?" With a resounding "No" Patillo prayed that God would prepare him to meet the coming chastisement and not to think of himself as beyond such afflictions. Reflecting on the fast day service, Patillo mused that the call to be "humble under the Hand of God implies a Sense of his immediate Agency in all our Afflictions — A Sense of our need of Correction and our own Demerit." Like Byrd, Patillo believed there was an intimate connection between sin and God's chastisements on both the individual and corporate levels. Patillo, however, rejected the particular providential idea that his family's health reflected their unique favor over the rest of the congregation.⁵⁶

The absence in diaries and letters of providential interpretations of individual misfortunes is striking. More typical than blaming oneself was Byrd's response to the death of his young son in June 1710. Rather than interpret the loss in terms of his moral failings, Byrd simply recorded "God gives and God takes away; blessed be the name of God." Similarly, Landon Carter referred to sicknesses among family members, slaves and neighbors as trials under which the believer must submit to God's mercy, not as judgments.⁵⁷ Devereux Jarratt also refrained from invoking a providential interpretation when he reported that the house of Mr. Ashburn,



Lisbone abysmée. Eighteenth-century French copper engraving of the 1755 Lisbon earthquake. Boats filled with refugees sink as a terrifying wall of water engulfs the city. (Regents of the University of California and the National Information Service for Earthquake Engineering.)

with whom he had a major disagreement, burned to the ground. Akin to the nonjudgmental reports of monstrous births in colonial newspapers, misfortunes affecting only the individual rarely invoked the idea of particular providences.

The notion of general providences, however, provided a powerful way to explain the successes and failures of the polity. Although a violent hurricane in Bengal in 1738 destroyed all of the British ships in port, it left unscathed the entire French fleet. No coincidence, the report in the *Virginia Gazette* claimed, this divine intervention seemed intended as a rebuke to the British nation. The report from Bengal concluded that, “it must, indeed, be confess’d, that it looks something like a Miracle, or at least something Ominous to Us, that we who may with Justice look upon our selves to be the best Seamen in the World, should suffer so much, and the French so little, by that Storm.” The reason for divine displeasure, the correspondent argued, lay in a proposal to allow the French to mediate peace between Spain and England. The military successes and imperial ambitions of the British Empire depended, under such interpretations, on the collective morality of her people.⁵⁸

Like Tillotson, Samuel Davies preached that “national judgments are inflicted for national sins, and therefore reformation from national sins is the only hopeful way to escape them.” Davies interpreted British losses during the French and Indian War, the Lisbon earthquake, the “flux” raging in his congregation, and poor harvests as corporate judgments on the colony of Virginia that required the repentance of every individual. Citing the deliverance of England from the Spanish Armada, the Gunpowder Plot, and the protection of the Protestant character of the nation through the Glorious Revolution, Davies warned his congregation that, although he was “not enthusiastic enough to look upon every event as the effect of an immediate Providence . . . but when some important design is in agitation, for the advantage of one nation and the chastisement of another . . . must we not own that it is the finger of God?”⁵⁹ Davies believed that he could discern God’s hand in the combination of war, pestilence, and earthquakes of late 1755. Virginia was granted an exemption from the destructive effects of the Lisbon earthquake, but if this mercy was not repaid with repentance, “will we constrain him to pour out his judgments upon *us* also, at last.” Only through communal penance, Davies urged his congregation, could these judgments be stayed.⁶⁰

Public fast days institutionalized this need for collective penitence in the face of divine judgment. From the early decades of Chesapeake settlement, famine, disease, and the threat of Indian attack prompted colony-wide fasts, following an English tradition dating back to the late sixteenth century of public fasts in times of crisis and thanksgiving. Such observances expressed communal repentance and supplication during critical times in recognition that communal sins provoked God to punish. They rested on an understanding of the Almighty as active in the world and on a belief in the efficacy of prayer. Public fast days were designed as a ritual which made manifest the repentance of the community, a time when adults abstained from labor, recreation, food, sleep, and sex, and dressed in “mean apparel.” In both England and the Chesapeake fast day services used special liturgies, adding petitions and suitable scripture passages to the Book of Common Prayer’s office for a holy day.⁶¹ Such public rituals cemented group loyalties and bolstered communal resolve in uncertain times.⁶²

A sampling of Virginia newspapers, diaries, and official correspondence reveals both the diversity of causes for the proclamation of public fasts and their popularity throughout the eighteenth century.⁶³ During this period the colonial government declared at least eighteen fasts.⁶⁴ The three Byrd diaries provide perhaps the best insight into the frequency of these observances. During the three and a half years covered by the first of the Byrd diaries, February 1709 to September 1712, Virginia declared four public fasts, the first two to stop epidemics, the third in commemoration of the martyrdom of Charles I, and the last to pray for the success of the British expedition to Canada. Yet in the remaining two diaries, spanning the years 1717 to 1721 and 1739 to 1741, Byrd failed to mention any fast

VIRGINIA FAST DAYS, 1700–79

Date	Reason	Source ⁶⁵
April 1700*	plague of caterpillars	CSP
Aug 1701*	“weighty measures” before Assembly	CSP
May 18, 1709	epidemic	Byrd & CSP
Jan 11, 1710	epidemic	Byrd
Jan 30, 1711	martyrdom Charles I	Byrd & CSP
Sept 7, 1711	Canadian expedition	Byrd & CSP
Spring 1728*	plague of caterpillars & bad harvest	CSP
Feb 26, 1746	1745 Jacobite rebellion in Britain	VaGaz
Sept 24, 1755	French and Indian war & famine	VaGaz
June 19, 1756	Lisbon earthquake & French and Indian war	Davies
Oct 21, 1756	“flux” raging	Patillo
March 8, 1760	thanksgiving for success on land & sea	Gordon
Aug 25, 1763	thanksgiving for peace with France	Gordon
June 1, 1774	“to preserve liberties of America”	Carter & VaGaz
July 20, 1775	[presumably conflict with Britain]	Carter
May 17, 1776	“frustrate our enemies”	VaGaz
Feb 28, 1777	implore heaven’s protection	Carter & VaGaz
May 1779*	“shield in battle” against Britain	VaGaz

* exact date of fast uncertain

days.⁶⁶ This sample also reflects the reasons commonly given for these holidays during the first half of the eighteenth century. Of the eleven fasts declared between 1700 and 1756, three were inspired by political events, two by military encounters, and the remaining six for natural “wonders”—epidemic disease, plagues of caterpillars, and the Lisbon earthquake. The seven fasts observed between 1757 and 1780, however, all reflected political concerns or military engagements. Landon Carter recorded that the 1774 fast day was declared to ask God “to remove from the Loyal People of America all cause of danger from such measures as are Pregnant with their ruin.” In the place of “God Save the King” at the conclusion of the holy day service, Carter recorded that his parson “cried out God Preserve all the Just rights and Liberties of America.”⁶⁷ Through public fast days Virginians asked God to remove dangers to the community, regardless of whether those dangers took the form of plagues of caterpillars or imperial policies.

William Byrd was convinced of the importance of public fasts in response to general providences. In his “Discourse on the Plague,” Byrd’s first recommendation was that Parliament should declare a public fast, “to humble our selves, and deprecate the vengeance of an offended God, and his Pestilence not let loose upon us.” Only then, Byrd recommended, should quarantine and public sanitation measures be established.⁶⁸ Long before penning this pamphlet, Byrd had attended council meetings where public fasts were decreed, heard sermons specifically prepared for the occasion, and gave his “people” (his slaves and white servants) a day

off work. On May 18, 1709, for example, Byrd recorded, "this was [a] fast day to pray to God to remove the fatal sickness with which this country has been of late afflicted. There was the most people at church I ever saw there."⁶⁹ Byrd thought public fast days an appropriate response to general providences.

Faced with poor harvests and conflicts with the French and Indians, Chesapeake governors shared Byrd's belief in the power of public fasts. Robert Dinwiddie, Virginia's governor, declared in September 1755 that "we have but too much Reason to fear, that our Sins have justly provoked the Almighty to send down upon us his heavy Judgements of War and Famine." Accordingly, "as national Repentance is the only Remedy for national Guilt," he declared a general fast "for the solemn and public Humiliation of ourselves before Almighty GOD."⁷⁰ The following year, with terrible earthquakes adding to the pressures of war and poor harvests, the colonial Maryland government issued a similar proclamation,

For imploring a Blessing from Almighty GOD upon his Majesty's Fleets and Armies in the present important Situation of public Affairs; as also for humbling ourselves befor Him in a deep Sense of His late Visitation, by a most dreadful and extensive EARTHQUAKE, more particularly felt in some neighbouring Countries, in Alliance and Friendship with us, and in some Degree by ourselves, and in order to the obtaining the Pardon of our crying Sins, to the averting of His judgments.

Like Dinwiddie, Maryland governor Horatio Sharpe urged the colonists to "a sincere Desire and hearty Endeavour to reform our Lives, and by a strict Conformity to our Duty towards him, regain his Favour, that he may remove from us those Evils which at this Time so manifestly threaten us."⁷¹ If plagues, earthquakes, and drought resulted from the immorality of a people as a whole, then only general repentance could restore God's favor.

Public fast days embodied the idea that the fortunes of a nation in the temporal world revealed God's pleasure (or displeasure) with a people's morality. General providences remained particularly susceptible to providential interpretations, since nations only exist in this world, and must also be punished in it. To avert such punishments, public fast days ritually expressed the collective repentance of the community.

In 1800 when the city of Baltimore was crippled by an epidemic of yellow fever, Joseph Bend interpreted this affliction in standard providential ways as a judgment from an angry God. But, rather than drinking, Sabbath-breaking, and licentious living—the usual sins said to provoke God's anger—he singled out a decline in providential interpretation itself.

It is much to be lamented, that mankind in general neglect or refuse to

consider the adverse dispensations of Providence in their true light. Their reflections upon their origin terminate in natural causes, & rise not to a Superior Being, "without whose knowledge not a sparrow falleth to the ground. . . ." Does the awful lightening put a sudden stop to the pulse of life, or the dreadful tempest commit wild havock & ruinous devastation? Instead of seeing the Almighty in the clouds, & hearing him in the wind, we ascribe the effects wholly to the constitution of nature.⁷²

The stridency with which Bend attacked disbelief in providence suggests the extent of the decline in such thinking.

Nevertheless, providentialism continued to have explanatory power, especially for certain types of wonders. In the seventeenth century comets and flocks of birds portended Bacon's Rebellion, but in the eighteenth century such prodigies generally failed to elicit providential interpretation. Wonders such as comets, eclipses, and even hurricanes, which had predictable patterns in their timing, were the first to lose their portentous associations. Thus, by the late seventeenth century in New England, comets no longer generated public fast days, because they were understood to be a natural, and knowable, component of God's universe.⁷³ Unpredictable general providences, such as epidemics, were more likely to be interpreted as providential. Accordingly, in the first half of the nineteenth century large segments of the population continued to interpret cholera outbreaks as divine judgments. Although nineteenth-century natural scientists and historians rejected the dichotomy between special and ordinary providences in order to focus on God's total sovereignty, they continued to invoke providential interpretations in nature and in the history of the young nation.⁷⁴

At the same time, the observance of fast days did lapse. In both England and the young United States, the political uses of fast days eventually undermined their popularity. Fast days called in observance of controversial treaties or military engagements drew fire as perverting religion by employing it as a political tool. As a response to natural disasters, rather than governmental policies, fast days had a longer lifespan. Although Andrew Jackson refused to call a national fast day during the 1832 cholera outbreak, eleven state governments, including Maryland's, declared statewide fasts. Similarly, during the 1849 epidemic, Zachary Taylor declared a national observance. By 1866 the third major cholera epidemic of the nineteenth century gave rise to no fast days, reflecting a growing confidence in science rather than providence to explain and prevent such epidemics.⁷⁵

In the eighteenth century, however, ministers, pamphlet writers, and editors in the Chesapeake and in other parts of the British Atlantic world employed providentialism with only minor differences. In both Massachusetts and England some ministers portrayed earthquakes as a natural part of the operations of a benevolent deity, that all things "under the direction of infinite wisdom, power

and beneficence, [are] . . . productive of an over-balance of good."⁷⁶ They argued earthquakes were beneficial physically, as an enrichment to the earth's natural minerals and a purge of subterranean vapors, and morally, for men to endure the suffering they had caused.⁷⁷ No such positive reading has been found in the Chesapeake. Also absent was anti-Catholic rhetoric condemning Portugal's official religion for its tragedy. Although ministers in Massachusetts were reluctant to blame Catholicism explicitly for the earthquake, lay writers demonstrated less restraint. But in the Chesapeake, even Davies, whose Hanover parish was a battleground for Britain's war with the preeminent Catholic power, found Lisbon's religion no more damning than the deism rampant in England. The timing of the earthquake—on All Saint's Day—provided a perfect target for denunciations of Catholicism. Although the *Maryland Gazette* reported that the destructive power of the earthquake and resulting fires was intensified because large numbers of people crowded into churches for holy day Mass and lit an extraordinarily high number of candles, anti-Catholic interpretations were left to the reader's inference.⁷⁸ Perhaps the distance separating the Chesapeake from New France and, in Maryland, the prominent Catholic minority helps explain the absence of this rhetoric. Despite these differences in interpretation, ministers and printers invoked providentialism in remarkably similar ways.

In the final analysis, providentialism was a powerful way to interpret life's misfortunes and successes in the eighteenth-century Chesapeake, as elsewhere. Earthquakes, lightning strikes, and plagues were signs of God's displeasure, but repentance promised a merciful stay from chastisement. God frowned, but also smiled, upon his people. In the reactions to disasters such as the Lisbon earthquake, eighteenth-century Chesapeake ministers, newspaper editors, and laity demonstrated the persistent hold of providentialism. In such tenacity lies a glimpse of how they explained their place in the world and understood their relationship with the divine.

NOTES

1. For more about the disaster and the reaction in Europe, particularly in Portugal and England, see T. D. Kendrick, *The Lisbon Earthquake* (London, 1956); for the New England response see Charles Edwin Clark, "Science, Reason, and an Angry God: The Literature of an Earthquake," *The New England Quarterly*, 38 (1965): 340–62.
2. *Maryland Gazette*, November 20, December 4, 18, and 26, 1755; January 1, 8, 15, and 29, February 19 and 26, March 11, April 15, 22, and 29, and May 6, 20, and 27, 1756. Unfortunately the corresponding issues of the *Virginia Gazette* do not survive. The December 12 and 19, 1755, issues refer to the smaller earthquakes felt along the northern parts of the eastern seaboard, but the next extant issue is dated August 27, 1756, and like the *Maryland Gazette* in the late summer of 1756, does not mention the Lisbon earthquake.
3. Lorraine Daston and Katharine Park, *Wonders and the Order of Nature, 1150–1750* (New

York: Zone Books, 1998); David Hall, *Worlds of Wonder, Days of Judgment* (New York: Alfred A. Knopf, 1989); Keith Thomas, *Religion and the Decline of Magic* (New York: Charles Scribner's Sons, 1971); Sara Errington, "Wonders and the Creation of Evangelical Culture in New England, 1720–1820" (PhD. diss., Brown University, 2000); Michael P. Winship, *Seers of God: Puritan Providentialism in the Restoration and Early Enlightenment* (Baltimore: Johns Hopkins University Press, 1996); Peter R. Eisenstadt, "The Weather and Weather Forecasting in Colonial America" (PhD. diss., New York University, 1990); Margaret C. Jacob, *The Newtonians and the English Revolution, 1689–1720* (Ithaca, N.Y.: Cornell University Press, 1976); Alexandra Walsham, *Providence in Early Modern England* (New York: Oxford University Press, 1999).

4. John K. Nelson, *A Blessed Company: Parishes, Parsons, and Parishioners in Anglican Virginia, 1690–1776* (Chapel Hill: University of North Carolina Press, 2001), 205–10; Donald K. Enholm, David Curtis Skaggs, and W. Jeffrey Welsh, "Origins of the Southern Mind: The Parochial Sermons of Thomas Cradock of Maryland, 1744–1770," *Quarterly Journal of Speech*, 73 (1987): 200–18; Richard Beale Davis, "The Sermon and Religious Tract," *Intellectual Life in the Colonial South, 1585–1763*, 3 vols. (Knoxville: University of Tennessee Press, 1978), 2:703–800. Although Edward Bond notes that "nature fascinated Virginians" and could function as a call to repentance, he places much greater emphasis on the importance of moral behavior and the orderliness of nature. Bond, "Anglican Theology and Devotion in James Blair's Virginia, 1685–1743," *Virginia Magazine of History and Biography*, 104 (1996): 335–36.

5. For further discussion of the distinctions between special and ordinary, or general and particular providences, see Perry Miller, *The New England Mind: The Seventeenth Century*. (1939; repr. Cambridge, Mass.: Harvard University Press, 1954), 224–31 and Winship, *Seers of God*, 37–40.

6. For New England see David Hall, *Worlds of Wonders*; Errington, "Wonders and the Creation of Evangelical Culture"; Winship, *Seers of God*; Douglas L. Winiarski, "'Pale Blewish Lights' and a Dead Man's Groan: Tales of the Supernatural from Eighteenth-Century Plymouth, Massachusetts," *William and Mary Quarterly*, 3d series, 55 (1998): 497–530; and Erik R. Seeman, *Pious Persuasions: Laity and Clergy in Eighteenth-Century New England* (Baltimore: Johns Hopkins University Press, 1999). For colonial New York see Sara Gronim, "Ambiguous Empire: The Knowledge of the Natural World in British Colonial New York" (Ph.D. diss., Rutgers University, 1999). For England see Daston and Park, *Wonders and the Order of the World*; Alexandra Walsham, *Providence in Early Modern England*; Thomas, *Religion and the Decline of Magic*.

7. Edward L. Bond, *Damned Souls in a Tobacco Colony: Religion in Seventeenth-Century Virginia* (Macon, Ga.: Mercer University Press, 2000); Patricia Bonomi, *Under the Cope of Heaven: Religion, Society and Politics in Colonial America* (New York: Oxford University Press, 1986), 15–17, 21–24, 42–50, 97–102, and 181–86; Jon Butler, *Awash in a Sea of Faith: Christianizing the American People* (Cambridge, Mass.: Harvard University Press, 1990), 37–55, 68–70, 77–88, and 99–102; Patrick Henry Butler III, "Knowing the Uncertainties of This Life: Death and Society in Colonial Tidewater Virginia" (PhD. diss., Johns Hopkins University, 1998); Michael Graham, "Meetinghouse and Chapel: Religion and Community in Seventeenth-Century Maryland," *Colonial Chesapeake Society*, ed. Lois Green Carr, Philip D. Morgan, and Jean B. Russo (Chapel Hill: University of North Carolina Press, 1988), 242–74; Beatriz Betancourt Hardy, "Papists in a Protestant Age: The Catholic Gentry and Community in Colonial Maryland, 1689–1776" (PhD. diss., University of Maryland, 1993); James Horn, *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake* (Chapel Hill: University of North Carolina Press, 1994), 381–418; Rhys Isaac, *The Transformation of Virginia, 1740–1790* (Chapel Hill: University of North Carolina Press, 1982); Arthur Pierce Middleton, *Tercen-*

tenary *Essays Commemorating Anglican Maryland, 1692–1792* (Virginia Beach: Donning Co., 1992); Nelson, *A Blessed Company*; Carol Van Voorst, *The Anglican Clergy in Maryland, 1692–1776* (New York: Garland, 1989).

8. Darrett Rutman, "Magic, Christianity, and Church in Early Virginia," in *Small Worlds, Large Questions: Explorations in Early American Social History, 1600–1850* (Charlottesville: University Press of Virginia, 1994), 138.

9. "A Brief Declaration of the Plantation of Virginia duringe the first twelve years . . . by the Ancient Planters nowe remaining alive in Virginia," *Journals of the House of Burgesses of Virginia, 1619–1658/9* (Richmond, 1915), 35; Bond, *Damned Souls in a Tobacco Colony*, 53.

10. Quoted in James Horn, *Adapting to a New World*, 381. Also discussed in Bond, *Damned Souls in a Tobacco Colony*, 151–52.

11. The years chosen for systematic analysis had the most nearly complete run of the paper in each decade. I also tried to avoid the height of the Stamp Act crisis and the Revolutionary conflict when almost the entire paper was dedicated to political questions.

12. Colonel John Catlett's 1664 letter to his cousin quoted in Horn, *Adapting to a New World*, 416. Thomas Mathew's "Beginning, Progress and Conclusion of Bacon's Rebellion, 1675–1676" (1705) in *Narratives of the Insurrections, 1675–1690*, Charles M. Andrews, ed. (New York, 1915), 15–16. The "Strange Newes from Virginia, being a true Relation of a Great Tempest in Virginia" (London, 1667) argued that the recent hurricane was a judgment from God wherein "he admonisheth and warneth us of our sins" (my thanks to Matt Mulcahy for this reference).

13. For prodigy reporting in colonial American newspapers in general, see Charles E. Clark, *The Public Prints: The Newspaper in Anglo-American Culture, 1665–1740* (New York: Oxford University Press, 1994), esp. 222–42; and David A. Copeland, *Colonial American Newspapers: Characters and Content* (Newark: University of Delaware Press, 1997), esp. 69–90, 212–15. Clark identified curiosity about nature and its aberrations, combined with a continued belief in the providential governance of the world, as assumptions common to both colonial and English newspapers, evident in the popularity of articles on such subjects (242). I find a similar interest in the *Virginia Gazette* and *Maryland Gazette* continuing in the half-century after the end of Clark's study, although the range of the types of wonders reported contracted over the course of the century.

14. *Virginia Gazette*, October 6, 1738; Katharine Park and Lorraine Daston, "Unnatural Conceptions: The Study of Monsters in Sixteenth- and Seventeenth-Century France and England," *Past and Present*, 92 (1981): 32–34.

15. Lorraine Daston has shown that such a focus on facts rather than theory was intended to meliorate the problem of dissent within the natural philosophy circle. See Daston, "Baconian Facts, Academic Civility, and the Prehistory of Objectivity," *Annals of Scholarship*, 8 (1991): 337–63; Gronim, "Ambiguous Empire," 109–15; Michael Hunter, *Science and Society in Restoration England* (New York: Cambridge University Press, 1981), 13.

16. Samuel Davies, "The Religious Improvement of the Late Earthquakes," June 19, 1756, *Sermons on Important Subjects*, 3 vols. (New York, 1811), 3:164; Thomas Cradock, "Santifie ye a fast," c.1755, xerox copy in Cradock Papers, Maryland Episcopal Diocesan Archives, original ms. in possession of St. Thomas Parish, Baltimore County, 1.

17. Cradock, "Santifie ye a fast," 3–4.

18. *Ibid.*, 14.

19. Davies, "The Religious Improvement of Late Earthquakes," *Sermons on Important Subjects*, 3:169, 170–71, 177.

20. *Ibid.*, 163–65.

21. *Maryland Gazette*, March 11, 1756.

22. William Byrd, *Another Secret Diary of William Byrd of Westover, 1739–1741*, ed., Maude H. Woodfin, trans., Marion Tinling (Richmond, Va.: The Dietz Press, Inc., 1942), 420.
23. Davies, "The Crisis: Or the Uncertain Doom of Kingdoms at Particular Times," *Sermons on Important Subjects*, 3:75.
24. Joseph G. J. Bend, "For the Fast on account of the Malignant Fever prevailing in Philadelphia in 1793," October 2, 1793, Bend Papers, Maryland Episcopal Diocesan Archives, 1–2.
25. The hymn Davies composed in reaction to the Lisbon earthquake is particularly interesting. The earthquake inspired him to meditate for eight stanzas on "how great, how terrible that God, who shakes creation with a nod . . . Crush'd under guilt's oppressive weight, this globe now totters to its fate." Davies, *Sermons on Important Subjects*, 3:177.
26. Davies, "The Crisis," *ibid.*, 3:66.
27. Sermon discussed in Davis, "The Sermon and Religious Tract," *Intellectual Life in the South*, 737.
28. *Maryland Gazette*, May 13, 1756.
29. *Virginia Gazette*, December 11, 1766.
30. *Ibid.*, September 28, 1769.
31. *Ibid.*, November 2, 1769.
32. *Ibid.*, September 14 and November 9 and 23, 1769. Rind's *Virginia Gazette*, September 1, 1769.
33. Katie Whitaker. "The Culture of Curiosity," in N. Jardine, S. A. Secord, and E. C. Spary, eds., *Cultures of Natural History* (New York: Cambridge University Press, 1996), 75–90; Daston and Park, *Wonders and the Order of Nature*, 304, 321–50.
34. *Maryland Gazette*, December 18, 1755. The competing theory, that earthquakes were caused by an underground build-up of electricity, was advocated by Thomas Prince in Massachusetts and William Stukeley in England but does not appear in any Chesapeake discussions of the earthquakes of 1755. For Prince, see Clark, "Science, Reason and an Angry God," 344, 354, and Errington, "Wonders and the Creation of Evangelical Culture," 162. For Stukeley, see Kendrick, *The Lisbon Earthquake*, 6, 64.
35. Secondary causes, also called immediate causes, did not have to be related to natural philosophy, although that is their most common source in the documents examined for this paper. See Fred Anderson, *A People's Army* (Chapel Hill: University of North Carolina Press, 1984), 196–223, for an examination of providentialism in the context of New England soldiers during the Seven Years' War. Anderson finds military professionalism as a common immediate cause given for military successes and failures, which New England's soldiers interpreted in providential ways.
36. John Redwood, *Reason, Ridicule, and Religion: The Age of Enlightenment in England, 1660–1750* (London, 1976); Eisenstadt, "Weather and Weather Forecasting in Colonial America," 168–73; Hunter, *Science and Society*, 162–87; Winship, *Seers of God*, 42–43.
37. Thomas, *Religion and the Decline of Magic*, 91–92.
38. Davies, "Signs of the Times," *Sermons on Important Subjects*, 3:98.
39. Hunter. *Science and Society*, 188–89.
40. Landon Carter, *The Diary of Landon Carter of Sabine Hall, 1752–1778*, ed., Jack P. Greene (Charlottesville: University Press of Virginia, 1965), 2:660 (March 22, 1772); Thomas, *Religion and the Decline of Magic*, 78–112; Daston, "Facts and Evidence"; Park and Daston, "Unnatural Conceptions."
41. Carter, *Diary*, 1:353 (February 6, 1770).
42. Thomas Chase, "The Home at Bethany," 1748, Chase Papers, Maryland Episcopal Diocesan Archives. Chase's authorship of this sermon is not certain, but the inclusion of this

sermon with others known to be composed and delivered by Chase suggests that if he did not write it, he probably at least preached it. For more on Chase see Rosamond Randall Beirne, "The Reverend Thomas Chase: Pugnacious Parson," *Maryland Historical Magazine*, 59 (1964): 1–14.

43. Bond, *Damned Souls*, 278–79.

44. Davies, "The Religious Improvement of the Late Earthquakes," *Sermons on Important Subjects*, 3:172.

45. Davies, "Signs of the Times," *Sermons on Important Subjects*, 3:96.

46. Carter, *Diary*, 2:660 (March 22, 1772); *Maryland Gazette*, December 18, 1755.

47. *Maryland Gazette*, December 18, 1755.

48. Byrd, *Another Secret Diary*, 421, 423.

49. Bend, "For the Fast on account of the Malignant Fever prevailing in Philadelphia in 1793," Bend Papers, Maryland Episcopal Diocesan Archives, October 2, 1793, 28–29.

50. *Virginia Gazette* October 17, 1766.

51. *Ibid.*, February 19, 1767. Both pieces implied the circulation of an argument against lightning rods as interfering with divine providence, although that argument is not articulated in any of the extant issues of the *Virginia Gazette*.

52. Quoted in Winship, *Seers of God*, 38.

53. Davis, *Intellectual Life in the Colonial South*, 714; Nelson, *A Blessed Company*, 200–207.

54. John Tillotson, "Sermon III: The Advantages of Religion to Societies," *Works* (London, 1696), 44.

55. Byrd, *Secret Diary*, 278 (December 29, 1710).

56. Henry Patillo, "Diary Fragments," Patillo Papers, 1726–1801, Union Theological Seminary and Presbyterian School of Christian Education.

57. Byrd, *Secret Diary*, 186–87 (June 3, 1710); Carter, *Diary*, 1:220 (April 22, 1758). Devereux Jarratt, *The Life of the Reverend Devereux Jarratt, Rector of Bath Parish, Dinwiddie County, Virginia, Written by Himself, in a Series of Letters Addressed to the Rev. John Coleman . . .* (Baltimore, 1806), 181. For a discussion of the difficulty of applying providentialism to personal tragedies see Martin Fitzpatrick "Enlightenment, politics and providence: some Scottish and English comparisons" in Knud Haakonssen, ed., *Enlightenment and Religion: Rational Dissent in Eighteenth-Century Britain* (New York: Cambridge University Press, 1996), 96–98.

58. *Virginia Gazette*, October 6, 1738. These types of providential interpretations of war and empire have been discussed in terms of New England, rather than the Chesapeake. See Fred Anderson, *A People's Army*, 196–223.

59. Davies, "The Crisis," *Sermons on Important Subjects*, 3:76; Davies, "God the Sovereign of all Kingdoms," *Sermons on Important Subjects*, 3:221.

60. Davies, "The Religious Improvement of the Late Earthquakes," *Sermons on Important Subjects*, 3:172. Bend preached on similar themes of the need for the community as a whole to repent to avert the chastisement of plague. "For the Fast on account of the Malignant Fever prevailing in Philadelphia in 1793," esp. 13.

61. For an example of such a special liturgy see the *Maryland Gazette's* front page reprint of the service used for the February 6 fast day in England in response to the Lisbon earthquake, *Maryland Gazette*, May 20, 1756.

62. Richard J. Janet, "Prayer and Politics: General Fasts in the Early American Republic," *Mid-America: An Historical Review*, 67 (1985): 97–107; Roland Bartel, "The Story of Fast Days in England," *Anglican Theological Review*, 37 (1955): 190–200; W. DeLoss Love, Jr., *The Fast and Thanksgiving Days of New England* (Boston, 1895); Hall, *Worlds of Wonder*, 170–172; Walsham Providence in Early Modern England, 143. For seventeenth-century Virginia fast days see Wil-

liam Waller Hening, *The Statutes at Large: Being a Collection of all the Laws of Virginia from the First Session of the Legislature, in the year 1619*, 1:289–90, 2:264, 399.

63. Byrd, *Secret Diary*, *Another Secret Diary*, and *The London Diary, 1717–1721*, ed. Louis B. Wright and Marion Tinling (New York: Oxford University Press, 1958); Carter, *Diary*; James Gordon, “Journal of Col. James Gordon, of Lancaster County, Va.,” *William and Mary Quarterly*, 11, No. 2 (Oct., 1902): 88–112, No. 3 (Jan., 1903), and No. 4 (April 1903): 217–36; *ibid.*, 12, No. 1 (July 1903): 1–12; Lester J. Cappon and Stella F. Duff, eds., *Virginia Gazette, Index, 1736–1780*, 2 vols. (Williamsburg, Va.: Institute of Early American History and Culture, 1950), also available on microfilm; Karen Ordahl Kupperman, John C. Appleby and Mandy Banton, consultant eds., *Calendar State Papers, Colonial: North America and the West Indies, 1574–1739*, CD-ROM (New York: Routledge, 2000).

64. A wider survey of diaries and official correspondence probably would have yielded a larger group of fast days.

65. References for fast days, in *Calendar of State Papers*, [CSP] April 6, 1700; August 6, 1701; April 15, 1709; January 15, 1710; August 6, 1711; and June 8, 1728. Byrd, *Secret Diary*, 36, 128–29, 293–94, and 401–2. *Virginia Gazette* [VaGaz] January 16, 1746; September 12, 1755; May 26, 1774 (Purdie & Dixon); May 11, 1776 (Dixon & Hunter); January 31, 1777 (Dixon & Hunter); and April 9, 1779 (Dixon & Hunter); Patillo, “Diary Fragments,” 26; Davies, *Sermons on Important Subjects*, 3:163; Gordon, “Diary,” Vol. 11, No. 3, 198 and Vol. 12, No. 1, 8; Carter, *Diary*, Vol. II, 818–19, 924–25, and 1087.

66. Byrd, *Secret Diary*, 36, 128–29, 293–94, 401–2. Also noted in *Calendar State Papers*, April 15, 1709, January 15, 1710, and August 6, 1711. Byrd, *Another Secret Diary*, *passim*. and *London Diary*, *passim*.

67. Carter, *Diary*, 2:818.

68. Byrd, *Another Secret Diary*, 436.

69. Byrd, *Secret Diary*, 36.

70. *Virginia Gazette*, September 19, 1755.

71. *Maryland Gazette*, May 20, 1756.

72. Bend, “Occasioned by the third visitation of Baltimore by the Yellow Fever,” October 10, 1800, Bend Papers, Maryland Episcopal Diocesan Archives, 1–2.

73. Errington, “Wonders and the Creation of Evangelical Culture,” 42; Matt Mulcahy, “A Tempestuous Spirit Called Hurri Cano: Hurricanes and Colonial Society in the British Greater Caribbean,” in Steven Biel, ed., *American Disasters* (New York: New York University Press, 2001).

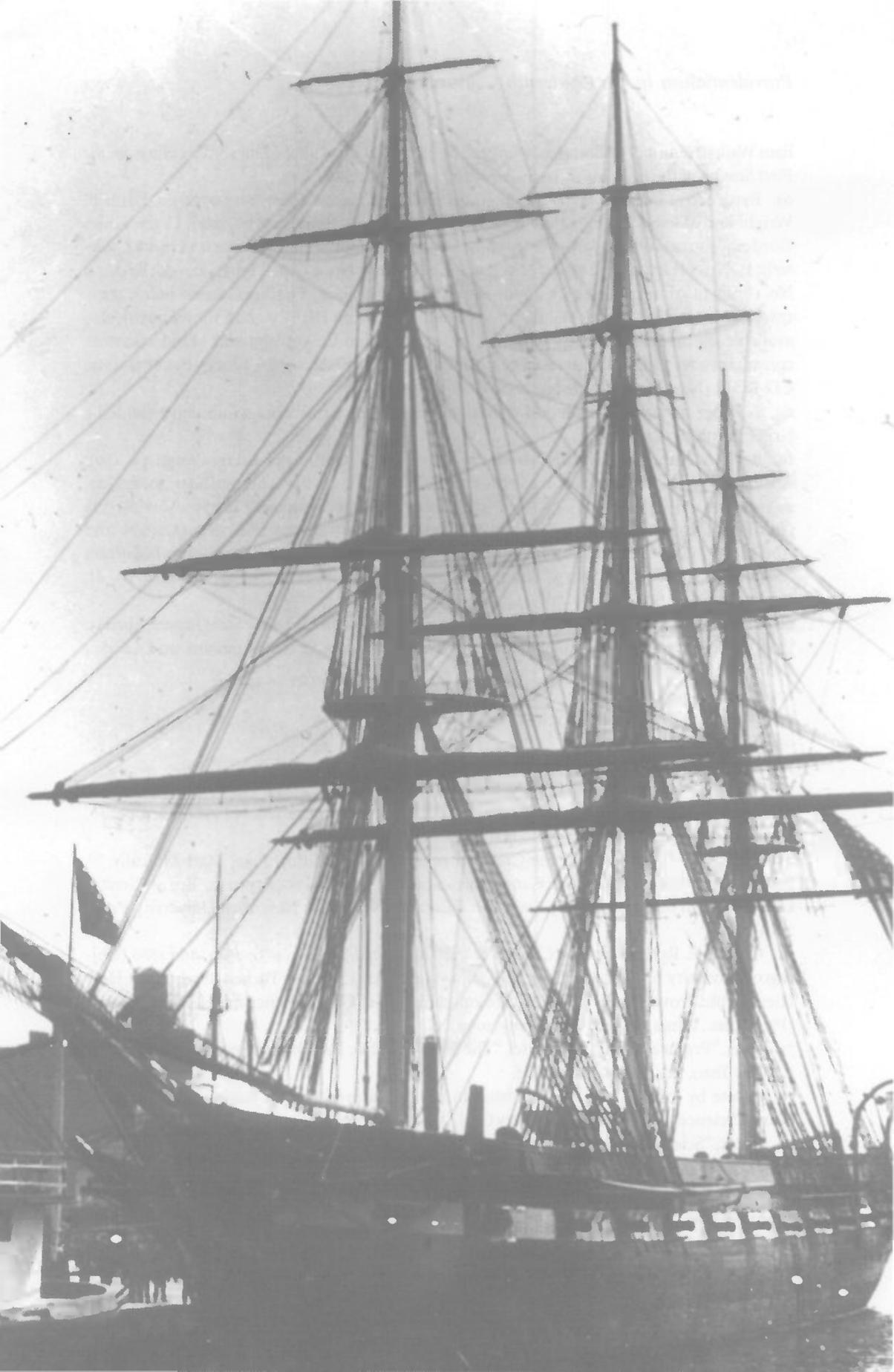
74. Charles E. Rosenberg, *The Cholera Years: The United States in 1832, 1849, and 1866* (Chicago: University of Chicago Press, 1962), 40–54, 121–32; Jonathan Tucker Boyd, “This Holy Hieroglyph: Providence and Historical Consciousness in George Bancroft’s Historiography” (Ph.D. diss., Johns Hopkins University, 1999).

75. Janet, “Prayer and Politics”; Bartel, “The Story of Public Fast Days in England”; Rosenberg, *Cholera Years*, 40–54, 121–32, 220–22.

76. Quote by John Winthrop, minister and Harvard professor of mathematics, cited in Clark, “Science, Religion and an Angry God,” 352.

77. Clark, “Science, Religion and an Angry God,” 351–57; Kendrick, *The Lisbon Earthquake*, 119–41.

78. *Maryland Gazette*, February 26 and May 27, 1756; Clark, “Science, Reason, and an Angry God,” 359–61.



The Impact of Redesigning and Rebuilding U.S. Frigate *Constellation* in 1812, 1829, and 1839 on Currently Held Theories Concerning Her Age

GEOFFREY M. FOOTNER

Much of the controversy concerning the fate of United States Frigate *Constellation* in 1853 centers around the writings of Howard I. Chapelle, published between 1945 and 1970, and continued by Dana M. Wegner and his associates at the U.S. Navy David Taylor Research Center in the 1990s. For the most part, this body of work is notable for the methods adopted by the writers for presenting historical data. By applying twentieth-century definitions and interpretations to pre-Civil War United States Navy ship repair terminology and procedures, Chapelle and Wegner present their versions of the historiography which enabled them to reach predetermined conclusions unsupported by archival records. Chapelle, in his writings, used no citations until his final work on this subject.¹

The U.S. Navy defined rebuilding of wooden sailing warships prior to the Civil War as a great repair during which a vessel received partial or complete replacement of her wooden hull, and which included frequently, modification of its shape (design) and therefore, dimensions.² Chapelle defined rebuilding of a navy vessel as a great repair synonymous with construction of a new ship if changes in her principal dimensions, and therefore design, occurred during the scheduled repairs. He alleged that the substitution of a new ship for an existing one resulted during rebuilding following a clandestine decision by the navy to replace it without an authorization from Congress. According to Chapelle, this amounted to an illegal, premeditated act to build new ships using funds appropriated specifically for repairs. He concluded that as the navy redesigned and changed the dimensions of U.S.S. *Constellation* in 1853, it substituted a new *Constellation* for the old when it commissioned the razed sloop of war U.S.S. *Constellation* in 1855.

Though Wegner rejected Chapelle's theory that the navy practiced a policy of secretly substituting new ships for old ones, he agreed with his conclusion that the

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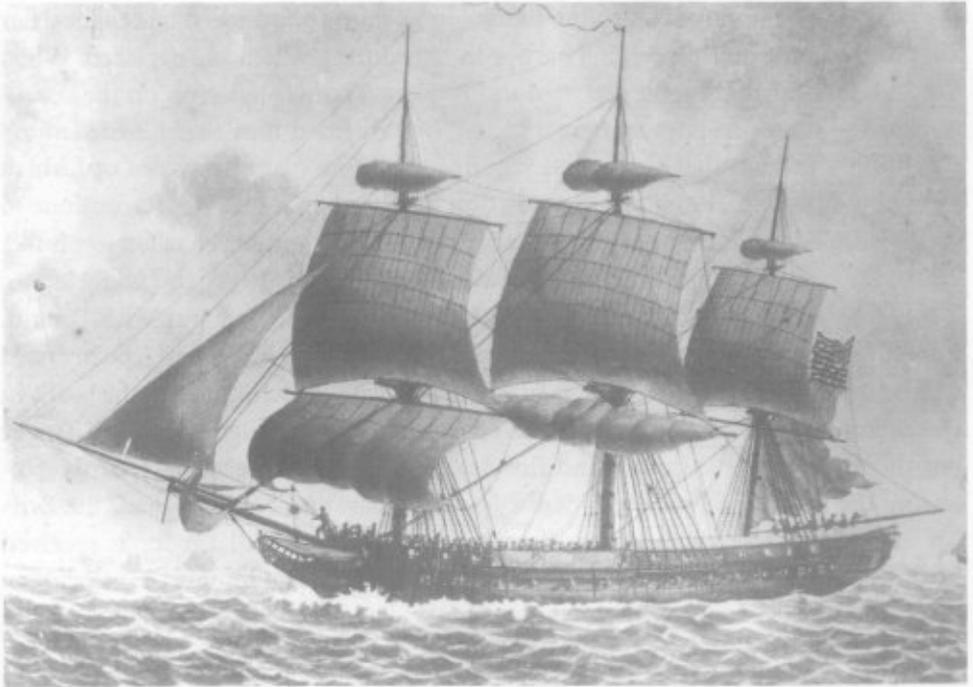
Opposite: The U.S.S. Constellation in the twentieth century.

navy did not redesign the frigate *Constellation* between 1795 and 1853. Moreover, Wegner concurred with Chapelle's conclusion that the navy destroyed the frigate *Constellation* in 1853 and built a new sloop of war that year. According to Wegner, Congress authorized the new *Constellation* under the Acts of April 29, 1816, and March 3, 1827. The Act of 1816 authorized an increase of nine ships of the line and twelve first-class frigates (forty-four guns) only. The Act of 1827 authorized the purchase of timber for ships only. Moreover, neither act could have supplied funds or materials for a new *Constellation* in 1853 as appropriations under these acts made available by Congress were almost exhausted by 1844.³

If it can be proved that the navy redesigned U.S. frigate *Constellation* in the course of rebuilding her in 1812, 1829, and 1839, Chapelle and Wegner's thesis cannot escape the contradiction it created. This possibility imposed a dilemma upon their arguments which they left unresolved. For if Chapelle and Wegner admitted during their discourses that the navy rebuilt *Constellation* in 1812, 1829, and 1839 before authorizing her announced rebuild in 1853–54—a total of four rebuilds during which the navy redesigned her hull on each occasion—then, in accordance with their definition of rebuilding, the navy built three new *Constellations* prior to building the new U.S.S. *Constellation* they argue it launched in 1854. Once confronted by this dilemma, Chapelle and Wegner, now hung out on its horns, realized that to be consistent, they must either admit that four new *Constellations* existed since the launching of the original ship in 1797 or argue that the navy never rebuilt (thus never redesigned) U.S. frigate *Constellation* prior to building a new ship in 1853.

Chapelle and Wegner chose a simple and direct path around the dilemma their definition of rebuilding created. They simply ignored or denied that the navy redesigned, modified, or altered U.S. frigate *Constellation*'s dimensions (and shape) prior to 1853. If it can be demonstrated in this paper that the navy rebuilt and redesigned the ship a total of three times prior to the great repair at Gosport Navy Yard in 1853, then Chapelle and Wegner's conclusions do not reflect the reality of the circumstances of the navy's rebuilding policy in the first half of the nineteenth century. Moreover, this will prove that their simplistic definition of rebuilding is badly flawed and weakens the foundation upon which they base a conclusion that the navy built a new *Constellation* in 1853–54, rather than rebuilding her as announced. Moreover, if the Chapelle and Wegner thesis is proved incorrect and cannot be applied uniformly to the practical circumstances existing in U.S. Navy shipyards prior to 1853, then their definition should not be applied to describe the circumstances of the rebuilding of *Constellation* in 1853.⁴

First, it is appropriate to provide documentary evidence that the navy intended to rebuild the frigate *Constellation* in 1853. In August 1852 the Senate notified President Millard Fillmore's administration that if it intended to request significant increases in the following year's budget, Congress must be notified of



U.S.F. Constellation as painted by Antoine Roux in 1802. (U.S. Naval Historical Center.)

projects requiring funding in advance of submitting the upcoming budget estimates for 1853–54. In compliance with the wishes of Congress, Secretary of the Navy John Pendleton Kennedy, a Marylander, noted in his *Annual Report* of December 4, 1852, that an increase in the repair appropriation would be requested in 1853–54 and would be used for repairing the frigate *Constellation*.⁵ Moreover, in the navy's *Annual Report* of 1853, published December 6, 1853, Samuel Hart, Chief of the Bureau of Construction, Equipment and Repair, reported seven months after repairs on *Constellation* commenced that the repairs progressed at Gosport Navy Yard. John Lenthall, the chief constructor, who redesigned *Constellation* in 1853 and then served as Chief of the Bureau of Construction, Equipment and Repair, reported in the navy's *Annual Report* of 1854 that it rebuilt the *Constellation* of 1797 (having been rebuilt many times before) as a spar deck sloop. Lenthall also noted in the same report that the navy built no new sailing ships after 1845.⁶

It is incumbent on this paper to analyze the principal major repairs of frigate *Constellation* prior to 1853 to determine if in fact the navy redesigned and therefore rebuilt her in 1812, 1829, and 1839 during the course of which her hull's shape was modified due to a change in its dimensions. The Fells Point-built frigate received extensive battle repairs and modifications of unknown cost subsequent to her engagements with French frigates *Insurgente* and *La Vengeance* in 1799 and 1800. Moreover, Joshua Humphreys, naval constructor, informed the secretary of

the navy that he removed all rotten planks and beams found when he repaired her after an accident in Philadelphia harbor in 1801 during which she capsized. When Commodore Edward Preble reported to President Thomas Jefferson on the condition of the navy's frigates in January 1806, he informed him that *Constellation's* condition was such that she would require rebuilding from her wales up, which seemed in line with Humphreys's prediction that her upper hull would continue to rot because her builders used green timber to build her and never salted her hull.⁷

In the early months of 1812, Congress authorized funds to repair U.S.S. *Adams*, U.S.F. *Chesapeake*, and U.S.F. *Constellation* in anticipation of war with Britain. Captain Thomas Tingey, commandant of the Washington Navy Yard, commenced repairs on *Constellation* as soon as funds came available, completing the work in December 1812. When the British entered Washington on August 24, 1814, Tingey put the torch to the shipyard, and fire destroyed most of the yard's records. Following the return of President Madison's administration to the capital, the British having retired to their ships, Secretary of the Navy William Jones received from Captain Tingey a concise report describing the rebuilding of *Constellation* under his supervision two years earlier. Tingey dated his report to Jones, October 15, 1814. Tingey's report to Jones stated:

the frigate *Constellation*, February, 1812, was brought to the wharf, and some of her floor timbers, replaced with new, from thence rebuilt up entirely new; being much improved by an extension of fourteen inches more beam at the main breadth. Her hull being finished, she was masted and careened out on both sides; the new copper bolts which had been driven through her bottom all ring rivited [sic]; three new metal rudder braces fixed to her stern post and a new rudder made; new coppered with the exception of a few strakes near her keel; her interior joiners' work all new fitted complete; had entire new water casks, gun and cannonade carriages and apparatus, together with new masts, spars, rigging and cables, sails, boats, and all her stores. Was completely rigged, fitted for sea, and, in the fall of the year, left the yard a better ship than when first from the stocks, and sometimes so to be.⁸

No one questioned the straightforward description of the rebuilding of U.S.F. *Constellation* in 1812 as reported by Tingey until Howard I. Chapelle leveled an attack on its accepted interpretation. There is strong evidence to disprove Chapelle's undocumented claim that Tingey did not alter her breadth but merely doubled the thickness of her outside planks and therefore, by Chapelle's definition, Tingey neither redesigned nor rebuilt *Constellation* in 1812. Wegner concurred with Chapelle's conclusion which will be proved incorrect.⁹ In reality, ac-

According to Tingey's report, the extent of the repairs made by shipwrights as they rebuilt the ship from her floors up is noteworthy. He clearly stated that the yard modified *Constellation's* dimensions, specifically her breadth a total of fourteen inches, which resulted in an increase in molded breadth to 41' 2" and extreme breadth to 42' 4".¹⁰

Lieutenant Franklin Buchanan, an officer serving on *Constellation* in 1815, recorded a series of measurements between points on her gun and spar decks. His measurements confirm that Tingey's modifications produced an increase in molded breadth. The officer measured and recorded the calculations in his journal. He did not measure her beam at the point of her extreme breadth because of its inaccessible location at the ship's 18' 3" waterline level.¹¹ Buchanan measured the width of her gun deck, 38' 4" inches, inside the ceiling. This figure corresponds to the dimension of the ship in 1814, that is, exactly fourteen inches greater than designed width at that point of the gun deck in 1795.¹²

As no contemporary drawings survive other than the original draft prepared by Joshua Humphreys and copied by William Doughty, critics of this conclusion will claim that measurements taken by naval officers and constructors reflect the idiosyncratic habits of individuals and are, therefore, suspect. However, in this instance, Franklin Buchanan moved up to the spar deck and measured its width, which proved to be exactly the same as shown in the Doughty drawing of 1795. Tingey, with his goal to increase *Constellation's* stability, had, by keeping the spar deck dimension unchanged, altered the ship's tumblehome from three feet to three feet, seven inches. Thus, Buchanan's journal provides the data which confirms that Tingey redesigned *Constellation's* lines and shows how he carried out modifications to increase *Constellation's* stability as he rebuilt the ship.¹³

Upon completing repairs, Captain Charles Stewart, in *Constellation*, departed upper Chesapeake Bay, arriving in the lower bay on February 3, 1813, to confront a squadron of Royal Navy ships setting up a blockade at Hampton Roads. He escaped with *Constellation* into Elizabeth River. A day or two later, Stewart wrote Secretary Jones that a dash for the open sea was not possible as he had not gotten *Constellation's* new sails on board, "her old ones being one third too small."¹⁴ Thus, he revealed that as a result of remasting the ship at Washington, *Constellation* would carry new sails that were one-third larger in area on new, longer masts and yards. *Constellation* could not handle such a radical increase in the size of her sail plan unless increased breadth provided the ship with greater stability. Stewart's communication focused attention on the ship's new stiffness and provides conclusive circumstantial evidence that Tingey modified *Constellation's* molded breadth which made the change in her masting plan possible. *Constellation's* longer masts and spars with greater sail area are particularly significant in view of Joshua Humphreys's decision to reduce the size of her sail plan in 1801 when he remasted her.¹⁵ Both masting plans survive and a comparison appears below.

Measurements of Selected Spars and Yards of USS *Constellation*, 1801 & 1812

Name of spar or yard	Length in 1801 ¹⁶	Length in 1812 ¹⁷
Fore Mast	866"	94'
Main Mast	96'	104'
Mizzen Mast	82'	81'
Foremast Yard	76'1/4"	81'
Mainmast Yard	84'	94'
Mizzenmast Yard	57'	75'
Fore Topsail Yard	54'	62'2"
Main Topsail Yard	60'	70'6"
Mizzen Topsail Yard	42'	49'
Boom	54'	62'

The increase in the dimensions of *Constellation*'s masts and yards in 1812 is extreme as her revised plan compares in size to that of U.S.F. *Java*, a larger 44-gun ship built at Fells Point in 1813–14. If her commanders considered *Constellation* crank before Joshua Humphreys rerigged her in 1801, her additional sail area in 1812, so obviously greater, would have rendered the ship unmanageable unless Tingey materially altered her hull shape prior to replacing her masts and yards.¹⁸

Moreover, after increasing her molded breadth, *Constellation* had increased buoyancy, more evenly distributed throughout the hull. This modification is revealed by the ship's reduced draft following the 1812 rebuild. Captain Alexander Murray, her commander in 1802, reported that, fully loaded and ready for a cruise, *Constellation* drew 22' 6". Captain William Crane, recording in the ship's log June 7, 1817, reported that after loading crew, supplies, and provisions, including 34,100 gallons of water, *Constellation*'s draft measured 21' 7", an improvement of almost a foot.¹⁹

Therefore, *Constellation* had, following Tingey's rebuild, greater buoyancy and stability and, possibly, improved trim, too. Proof of *Constellation*'s hull modifications in 1812 are confirmed by the information contained in Buchanan's journal and evidence of her altered masting plan and reduced draft. This provides conclusive evidence that the navy rebuilt *Constellation* in 1812, altering her hull's breadth and, therefore, her design at that time.

Following almost fifteen years of continuous service at sea, the Navy Board of Commissioners scheduled *Constellation* for a great repair at Gosport Navy Yard. On October 17, 1827, John Rodgers, president of the board, ordered Captain James Barron, commandant of Gosport, to survey the hull of *Constellation* and send the results to Washington as soon as possible. His instructions included an order to supply an estimate of the cost and the time required to thoroughly repair and fit her for service.²⁰ Barron reported on November 14 that the estimate would be

ready in a few days, and he anticipated that the survey would conclude that *Constellation* was an almost entirely worn out ship.²¹

A team of mechanics at Gosport, headed by Francis Grice, master ship builder, surveyed the ship and estimated the cost to repair *Constellation* would be \$99,994. Their report, dated November 17, 1827, was received by Barron who forwarded it to the board of commissioners. Upon receipt of the cost estimates, Rodgers, acting for the board, ordered all work on the *Constellation* stopped.²² The board's concern was too much repair work scheduled and an insufficient appropriation of \$475,000 for repairs in Secretary Samuel Southard's budget for 1828.

Rodgers ordered Barron to delay repairs on *Constellation* and to instruct ship builder Grice to prepare a comparison of the cost of repairing her to the cost of building a new hull for a ship of *Constellation's* class. This is much the same route that Rodgers followed in 1821 as he considered modifying *Erie's* hull and rebuilding it from the keel up.²³ Then Rodgers ordered Chief Constructor Samuel Humphreys to Gosport to conduct another survey of *Constellation*.²⁴ In the meantime, Barron received Grice's new estimate for repairing *Constellation*, which he compared to the cost of building a new hull for a ship of the same class. Grice figured the cost of a new hull at \$100 per ton burden (*Constellation* was 1,270 tons), for a total estimated cost of \$127,000. This is the figure Barron forwarded to the board for a new hull for a ship of *Constellation's* size.

To compare the cost of a new hull to the cost of estimated repairs, Grice based his figures on the cost of repairs to U.S.F. *United States*, her burden totaling 1,620 tons. Grice calculated that the cost to repair the larger ship worked out to \$69.52 per ton. Applying that figure to estimate the cost of repairing *Constellation*, Grice multiplied the smaller ship's tons burden, 1,270, by \$69.52, which provided him the cost to repair the smaller frigate, this time, \$88,290. This figure would be used for comparison with the cost of a new hull, \$127,000. By these formulae, Grice's second estimate for repairs for *Constellation* was \$11,000 less than the prior estimate sent to the commissioners.²⁵ When the Treasury Department accounted for the actual cost of remodeling and repairing of *Constellation* in 1829, the total approached \$170,000.²⁶

The report Samuel Humphreys prepared for the board of commissioners concerning the costs of repairs and modifications to the hull of *Constellation* could not be located in the board's correspondence or ship's files. Its records suggest that it received no survey as Rodgers, writing for the board, infers in correspondence that he received a positive report from Humphreys on *Constellation's* state and condition. This is confirmed because Rodgers issued subsequent orders to Barron to proceed with repairs but at a pace that included the most economical number of mechanics.²⁷

Captain Barron reported to the commissioners on February 21, 1828, that repairs on the ship had commenced.²⁸ It became apparent that as the yard readied



This twentieth-century painting depicts the U.S.F. *Constellation* prior to 1845. Painting by John W. Schmidt, U.S.N. (Naval Historical Center.)

Constellation for sea during the spring of 1829, someone—Humphreys, Barron, Grice, or perhaps the board of commissioners—ordered significant, even radical, modifications to the ship's hull as she was cut down to her floors and rebuilt. Although there existed 1828 offsets at the time, these documents have disappeared and no drafts prepared in 1828 dealing with modifications to her hull are on file at the National Archives. However, measurements by *Constellation*'s officers subsequent to her return to sea duty and a drawing by Francis Grice, the master ship builder in charge of her 1828–29 rebuild, prepared by him in 1839, confirm that he rebuilt *Constellation* following the redesign of her hull at that time.²⁹

The principal modification introduced to the shape of U.S.F. *Constellation*'s hull at Gosport Navy Yard in 1828 consisted of a further increase in her maximum beam, accomplished by modifying her molded breadth once again, this time approximately one foot and five inches at the location of her dead flat. This modification made it necessary to fair her hull above the floors, none of which were replaced. Grice accomplished the modification by replacing live oak frame pieces from the level of the first futtocks upward to the ship's rail. Other major alterations made under the supervision of Commandant James Barron included a new round stern and rudder assembly, galleries, and captain's quarters. *Constellation*'s

increase in breadth made it necessary to replace all of her decks and internal works from the keelson up, including beams, clamps, waterways, and stanchions. The redrafting of *Constellation's* hull, presumably, a Francis Grice and Samuel Humphreys collaboration, had as its goal further improvement of *Constellation's* stability under sail. The navy had redesigned and rebuilt *Constellation* once again.³⁰

Without drawings or offsets, it will never be known who drafted the changes in *Constellation's* design, but the flow of correspondence at the time as well as Samuel Humphreys's movements suggest that he had a hand in preparing the draft that provided the modifications. Commandant Barron ordered *Constellation* stripped of her planking in mid-December 1827, on about the same day of Humphreys's arrival at Gosport Navy Yard. The navy's chief constructor reached Gosport after the commissioners received the yard's estimate of repairs in the amount of \$99,994, dated November 17. He also had an opportunity to review Grice's comparison of the cost of a new and a rebuilt ship of *Constellation's* class before he left Washington for Gosport. Humphreys' report reached Rodgers' desk before January 5, 1828, as the commissioners issued orders to proceed with *Constellation's* repairs on that date. As there is no record of drawings sent to Gosport, it is logical to assume that Grice and Humphreys worked out *Constellation's* modifications after they completed an examination of the ship's hull.³¹

Under Grice's supervision, the yard's carpenters and mechanics, working under orders to assign crews only in the most economical numbers, completed most of the work on *Constellation* by February 1829. The yard stripped *Constellation* of interior and exterior planks and ceiling as well as dismantling her frame to the floors. From that point upward, the yard rebuilt the hull almost new, replacing a listed number of futtocks in her mid-body sections. A list of materials used and a summary of the principal areas of the ship repaired are contained in a volume of the cost for repairing ships under the authority of the board of commissioners. Semi-monthly returns of the work on *Constellation* as it progressed have survived, too.³²

From the record of the work performed on *Constellation*, including the summary, we can obtain an accurate account of materials supplied to the site. Listed below are the number and location of futtocks, stanchions, and top timbers replaced by Grice's shipwrights at Gosport in 1828. The quantity and location of frame sections replaced allowed Grice to modify (redesign) her shape.³³

Stanchions	53	each side of ship
Top timbers	53	" "
Third futtocks	34	" "
Second futtocks	26	" "
First futtocks	13	" "
FLOORS.....	None replaced	

Three sets of measurements of *Constellation's* decks, prepared by officers aboard the ship and recorded following her return to sea, are the primary source of data that prove the modifications made by Grice as he rebuilt her hull. Franklin Buchanan, assigned to *Constellation* in 1815 under Captain Charles Gordon, served again under Captain Alexander S. Wadsworth in 1829 when the ship left Hampton Roads for New York in late July. Once again he recorded measurements of the ship's decks in his personal journal. Also, Lieutenant William Pearson, on Captain Wadsworth's instructions, measured the frigate's decks and recorded the dimensions in the ship's Watch, Quarter and Station Bill. Midshipman James Miller recorded a third set of *Constellation's* dimensions in his journal. Below are the measurements of *Constellation's* breadth recorded by the three officers.³⁴

DIMENSIONS OF *CONSTELLATION* RECORDED BY LT. WILLIAM PEARSON, 1829

Molded length (sic. breadth) of the Spar deck at the dead flat — 34' 3"³⁵
 Molded length (sic. breadth) of the Gun Deck at the dead flat — 39' 2"
 Molded length (sic. breadth) of the Berth Deck at the dead flat — 38' 10"

BREADTH OF DECKS OF *CONSTELLATION* RECORDED BY FRANKLIN BUCHANAN

Spar Deck	167'	Beam	33'
Main Deck	163'	Beam	40'
Berth Deck	156'	Beam	33' 8" ³⁶

MEASUREMENT TAKEN BY MIDSHIPMAN JAMES MILLER WHILE SERVING ON
CONSTELLATION, 1832–1833

Breadth of Beam.....40' 8"

Modifications to *Constellation's* hull are confirmed by the combination of measurements recorded by Pearson, Buchanan, and Miller of the breadth of the ship's decks. Normally such an approach, using the calculations of three officers, would be suspect, but in this instance the results that prove *Constellation's* new dimensions are verified by a drawing made by Francis Grice after the modifications were carried out. The officers' three sets of dimensions, recorded at different reference points on the decks and used to calculate the measurements of *Constellation's* modified mid-ship section, required certain assumptions relating the location of the selected reference points following a series of trial and elimination calculations. The surviving choices were used to plot the dimensions of the modified hull. As plotted, the results required only easy fairing of her new lines.

Franklin Buchanan made his measurements to the inside of the ceiling, which provided the maximum clear deck breadth. This is consistent with his manner of measuring the decks following Tingey's rebuild. He measured the orlop deck, which he mistakenly labeled berth deck, 33' 8", four inches greater than the dimen-

sion of this deck contained in Joshua Humphreys's 1795 draft. Pearson's measurement fell exactly on the inboard edge of the waterways of the gun and berth decks when faired with the new orlop deck's breadth recorded by Buchanan. Midshipman Miller's measurement of breadth of beam of 40' 8" was taken along the height of the maximum breadth line from the center line to the ceiling.

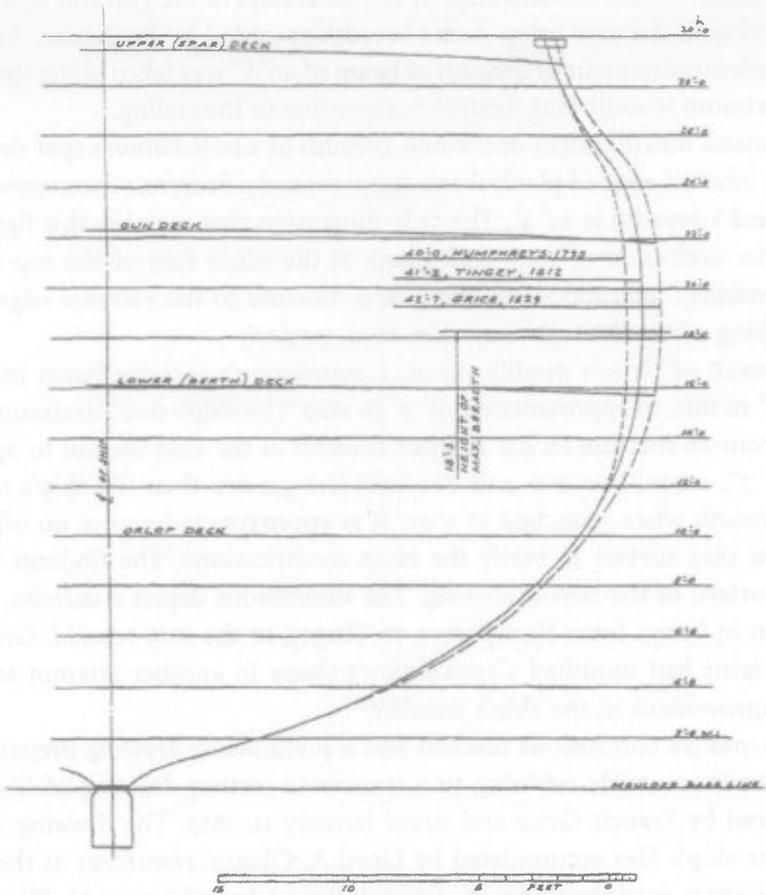
Buchanan's measurement of the new breadth of *Constellation's* spar deck is 33 feet to the inboard edge of plank sheer, approximately. Pearson's measurement for the spar deck's breadth is 34' 3". The only dimension that matches this figure was taken at the underside of spar deck plank at the inner face of the top timber. Pearson probably interpreted "molded" as a measure to the extreme edge of the deck planking where the waterway rises at an angle.³⁷

As a result of Grice's modifications, *Constellation's* extreme beam increased from 42' 4" in 1812, to approximately 43' 9" in 1829. The ship's new maximum beam resulted from an increase in her molded breadth at the mid-section to approximately 42' 7", more than two and one-half feet greater than the ship's original molded breadth when launched in 1797. It is approximate because no offsets or drafts from 1829 survive to verify the exact modifications. The findings fit well with the pattern of the new timbering. The dimensions depict a definite, logical progression in beam, from Humphreys, to Tingey, to the 1829 rebuild. Grice and his shipwrights had modified *Constellation's* shape in another attempt to effect further improvement in the ship's stability.³⁸

With tentative conclusions reached and a preliminary drawing prepared, the author located an article referring to a transverse section drawing of *Constellation* prepared by Francis Grice and dated January 11, 1839. The drawing was located in the ship's files accumulated by Lloyd A. Olsson, researcher at the Naval Historical Center, working under its director, Rear Admiral Ernest M. Eller, many years ago. The retrieved drawing is a photocopy of *Constellation's* half mid-section, rather roughly drawn and signed by Francis Grice. At that date, Charlestown Navy Yard had scheduled *Constellation* for her third rebuild. After establishing that Gosport remained Grice's place of employment in 1839, a check of the log of the Boston yard revealed that in January 1839 workers had not performed any significant repair work on *Constellation* as she did not enter dry dock until the following month, a schedule that dovetailed with the date on Grice's drawing. It is assumed that in preparation for docking the ship, Commandant John Downes requested Grice's drawing of the ship's modified mid-ship section to show the position of her gun deck beam ends before placing proper supports for the ship, scheduled for dry docking at Boston in February 1839.³⁹

Although the reason for the existence of Francis Grice's drawing is conjecture, there is no doubt that his 1839 drawing matched closely the dimensions calculated using the measurements made by Buchanan, Pearson, and Miller. Grice measured *Constellation's* maximum beam as 43' 10", just one inch greater than the recon-

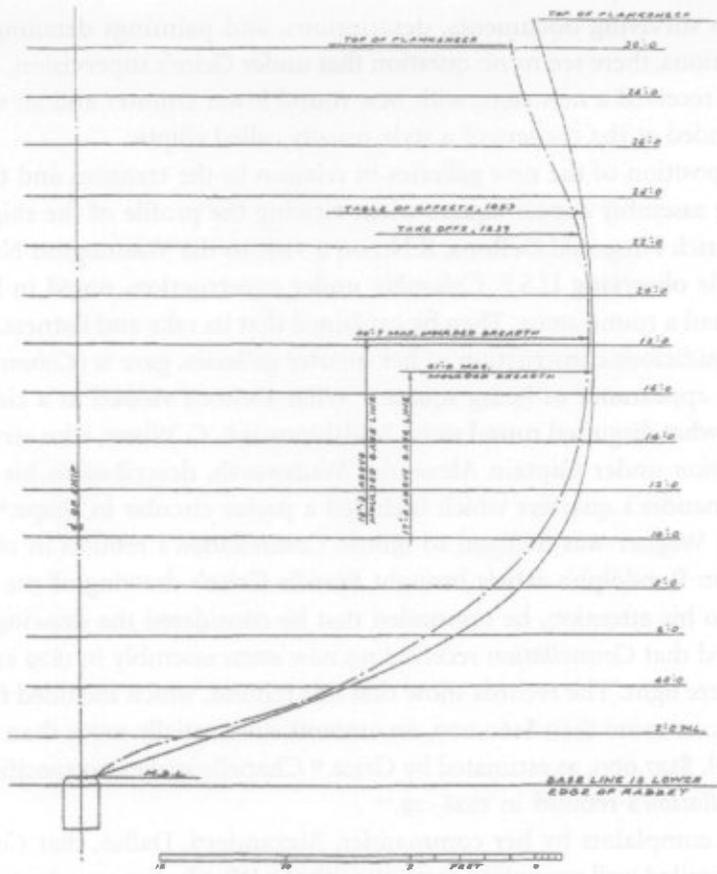
Constellation's half mid-ship section in 1795, 1812, and 1829 and 1839 and 1853



structed mid-ship section prepared from the officer's measurements. Not only is the maximum breadth a virtual match but an overlay of the two midsections showed that the lower body, between keel and the twenty-foot waterline produced a near match. Also, the lower edge of the heavy planks nearly matched. Here, then, Randolph had uncovered unrelated data that verified the officers' calculations and which confirmed the radical redesign of *Constellation* in 1828–29.

According to the records of costs of materials and labor used, prepared after the yard completed *Constellation's* rebuild, modifications included the redesign and replacement of the frigate's complete stern, including new galleries and taffrails, in other words, a complete new stern and rudder assembly. Contemporary constructors and navy officers referred to *Constellation's* newly designed stern and transom as round, because of its spherical shaped counter or lower transom. Today, naval architects call this type stern assembly elliptical in style and believe that the design, with its round counter, became popular after 1820, because ship

Constellation's half mid-ship section in 1795, 1812, and 1829 and 1839 and 1853



builders were convinced that it provided ships, commercial and navy, with structurally reinforced after sections. Certainly this was reason enough to convince the navy that the modification would contribute to its effort to effect change in *Constellation's* ends, having received continuous attention since Captain Truxtun complained of their sharpness as he readied his ship for sea for the first time in 1798.

Howard Chapelle studied American Navy ship plans in preparation for his book on its wooden sailing ships and wrote that one reason for the rapid acceptance of the round stern design by navies was that the new stern shape allowed guns to be placed in after cabins in positions that allowed them to be aimed forty-five degrees off the ship's center line. Though Chapelle referred to the newly designed sterns of the navy's ships as round and mentions the elliptical stern design separately, he does not provide information about what differences, if any, existed between the round and elliptical shape of 1820. Perhaps this is because the differ-

ences relate to the location of two parts of a single assembly rather than to two separately developed designs.⁴⁰

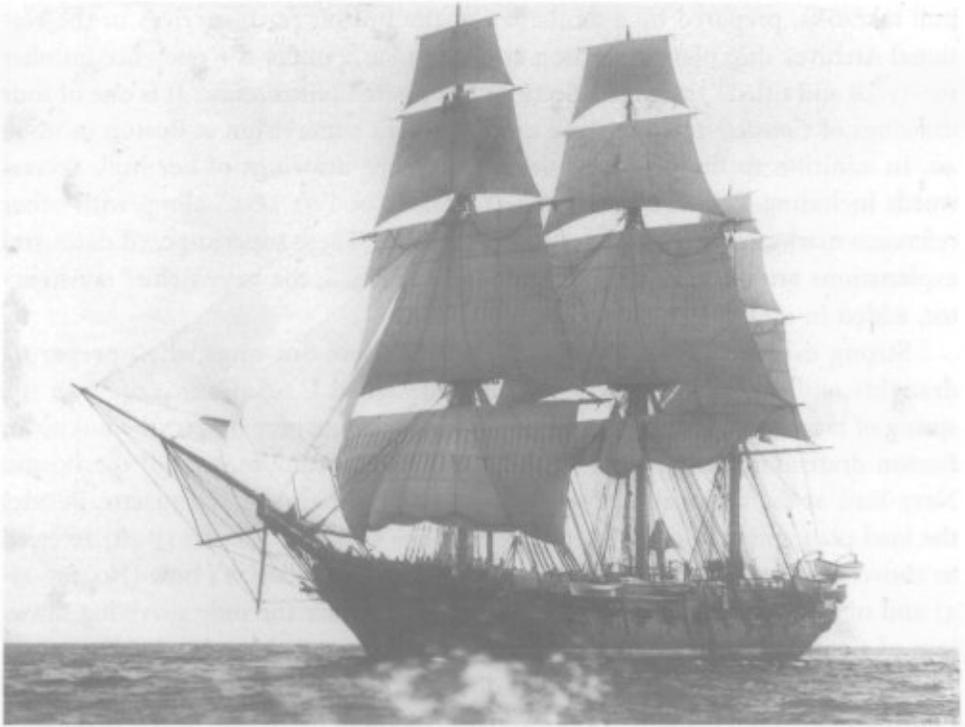
From surviving documents, descriptions, and paintings detailing her stern modifications, there seems no question that under Grice's supervision, U.S.F. *Constellation* received a new stern with new round lower counter and an upper transom rounded at the corners of a style usually called elliptic.

The position of the new galleries in relation to the transom and the counter made the assembly appear square when viewing the profile of the ship. Lieutenant Frederick Fitzgerald DeRoos, R.N., on a visit to the Washington Navy Yard in 1826, while observing U.S.F. *Columbia* under construction, noted in his journal that she had a round stern. Then he explained that its rake and flatness, combined with the judicious construction of her quarter galleries, gave it (*Columbia's* stern) quite the appearance of being square.⁴¹ What DeRoos viewed as a cleverly built but somewhat disguised round stern, Midshipman E. C. Wines, who served aboard *Constellation* under Captain Alexander Wadsworth, described in his journal as the commander's quarters which included a parlor circular in shape.⁴²

Dana Wegner was inclined to ignore *Constellation's* rebuild in 1828–29 and when Evan Randolph's article brought Francis Grice's drawing of the ship's new breadth to his attention, he responded that he considered the drawing a forgery. He insisted that *Constellation* received no new stern assembly in 1829 and that her repairs were light. The records show that this rebuild, which included redesigning her hull, cost more than \$160,000, an amount substantially more than the cost of a new hull, \$127,000, as estimated by Grice.⁴³ Chapelle makes no specific reference to *Constellation's* rebuild in 1828–29.⁴⁴

After complaints by her commander, Alexander J. Dallas, that *Constellation* no longer sailed well enough to keep up with the West Indies squadron as flagship, Secretary of the Navy James K. Paulding detached and ordered the ship to Boston for survey and repair. Dallas's main complaints concerned *Constellation's* inability to sail fast and in a weatherly fashion. In 1834, only five years following her rebuild in 1829, *Constellation* returned to Gosport Navy Yard and entered its new dry dock, at which time Francis Grice added a false bottom to compensate for the hog of her keel. This work seemed to be the basis for Captain Dallas's problems through the great repair of 1829, which resulted in a rather drastic change in *Constellation's* design, and evidently contributed to the ship's diminished sailing qualities.⁴⁵

Though no correspondence survives authorizing modifications to *Constellation* in 1838 including the navy's plans to redesign and rebuild her a third time, there are drawings and records of this great repair that took place at the Boston Navy Yard between January 1839 and October 1841. There is circumstantial evidence in the Boston yard's survey and repair records of *Constellation* to support a conjecture that the yard's commandant received orders to alter her molded beam



Photograph taken in 1901 of the U.S. Sloop of War *Constellation* under sail. It is marked, "J. S. Johnston View & Marine Photo N.Y." (U.S. Naval Historical Center.)

a third time. And, there is a drawing in the National Archives of take-offs of measurements of her hull, prepared by the yard's draftsman of her altered design.⁴⁶

Josiah Barker, naval constructor at the Boston yard during *Constellation's* repairs there, prepared a survey that recommended replacement of one-third of the ship's 1st, 2nd, and 3rd futtocks and bulwarks, all live oak timbers, most of which Gosport Navy Yard had installed new just ten years earlier. This is fairly strong evidence that Barker had received prior orders to scale back the radical modifications made to *Constellation's* breadth at Gosport during her previous rebuild under the supervision of Francis Grice. Grice forwarded the rough drawing of *Constellation's* dead flat section following her rebuild in 1829 to Boston in January 1839. Drawn to scale, it provided constructor Barker with a sketch of the modification of the ship's mid-section done under Grice's supervision ten years earlier. A critically important document, it provided *Constellation's* breadth as the ship entered dry dock. As previously mentioned, the original drawing is missing.⁴⁷

Grice's drawing provided Barker with the measurement of *Constellation's* breadth in January, 1839. The drawing also gave Barker the hull's current shape as he prepared offsets or take-offs for the modifications the board of commissioners must have ordered him to make to her hull. The original drawing of *Constellation's*

hull take-offs, prepared by a draftsman at the Boston yard, survives in the National Archives ship plans collection at College Park, under the reference number 107-13-4B and titled "Transverse Sections of Frigate *Constellation*." It is one of four drawings of *Constellation* prepared under Barker's supervision at Boston in 1839–40. In addition to the original titles of the three drawings of her hull, several words including, "Norfolk, then either January or Feb. 1853," along with other reference marks, have been added to the drawing. These superimposed dates and explanations are in the handwriting of John Lenthall, the navy's chief constructor, added in 1853.⁴⁸

Strong evidence exists that Lenthall used these drawings when preparing draughts with his modifications for the redesigned U.S.S. *Constellation* in the spring of 1853. There is also a load plan for *Constellation* prepared by the unknown Boston draftsman, the original of which is located in the records of the Boston Navy Yard at the regional National Archives at Waltham, Massachusetts. Besides the load plan and take-offs (Transverse Sections Drawing No. 107-13-4B) referred to above, the same draftsman prepared a plan of *Constellation*'s bow (No. 107-13-4) and of her keel (No. 107-13-4A). These drawings are the only surviving drawings of *Constellation* as built, though Josiah Fox measured her in 1806.⁴⁹

During the first two weeks in dry dock, carpenters and laborers stripped off *Constellation*'s outer planking, decks, and futtocks designated as defective in Barker's survey. As the constructor planned to reduce *Constellation*'s molded breadth and fair her hull once again, he ordered the transverse sections drawing prepared to show the shape of the ship following these modifications. Or perhaps he made a preliminary version of the drawing from which carpenters prepared moulds. Shipwrights hewed replacement futtocks and bolted them into the ship's frame. The work of replacing one-third of the frame's futtocks took place between March 15 and April 15, 1839, according to *Constellation*'s yard log. Once completed, measurements were taken off before carpenters covered the frame with new planks and ceiling. Then, Barker's draftsman prepared the final version of the transverse sections drawing using the frigate's new dimensions.

The "Transverse Sections of Frigate *Constellation*" drawing shows the dimensions and shape of nine sections of the ship after Barker redesigned her in 1839. The draftsman measured from an external reference line to the center line of the ship and by that means calculated her molded breadth through nine sections. Moreover, he selected as a base line for his drawings, the lower edge of the keel rabbet, a new base line different than the one established by Joshua Humphreys for his original draughts in 1797. The fact that John Lenthall used the Boston draftsman's base line is hardly a coincidence, as Lenthall referred to these drawings as he prepared to modify *Constellation* in 1853. Literally, his handwriting is all over each of them.⁵⁰

Modification of the frigate's hull shape, the third since she was built in 1797, reduced *Constellation*'s molded breadth from 42' 7" to a new maximum molded

breadth of 40' 7". This new breadth is confirmed by the transverse sections drawing. Her extreme beam, formerly 43' 9" according to the Pearson, Buchanan and Miller measurements and confirmed by Grice's drawing, Barker reduced to 41' 9". This dimension is greater than her maximum breadth in 1797 but less than she measured following rebuilds in 1812, 1829, and 1853.

With new lines and dimensions, a result of Barker's modifications to her hull, *Constellation* when moored once again in Boston harbor looked more like the ship drafted by Joshua Humphreys in 1794, though Barker altered her hull dimensions enough to make it necessary to fair her lines once again. Her new dimensions gave *Constellation* about one-half foot greater molded breadth than Humphreys's original plan. She lacked by approximately six inches the hull's molded breadth following John Lenthall's modifications in 1853. A comparison of the two mid-ship sections may be examined in a drawing at the end of the text.

Neither Chapelle nor Wegner accept the argument that Barker prepared the 107-13-4 series of drawings in Boston during *Constellation*'s rebuild there in 1839. But the modifications to her hull shape had to be accounted for by them since these drawings survive in the National Archives. Wegner's group ignores the bow drawing but claims that the Gosport Navy Yard prepared the keel and transverse sections drawing in 1853 in support of preparations by the yard in February 1853 to haul *Constellation* and destroy her. This is an unconvincing solution of their dilemma, for it leaves unexplained the differences in *Constellation*'s measurements in February 1853 compared to 1812, 1829, or 1795. A naval architect on Wegner's team, Kevin Lynaugh, endeavoring to explain the difference between the hull shape in 1795 and the transverse sections drawing, stated that the ship's greater breadth before dismantling in 1853 is the result of distortion in the hull.⁵¹

Howard Chapelle's explanation for the transverse sections drawing is convoluted and rather astonishing in view of his accomplishments as a draftsman. First, like Wegner's group who followed his lead, Chapelle wrote that the transverse sections drawing was prepared in 1853 just prior to the ship's destruction. This claim makes no sense. He does not match the drawing with an overlay of Humphreys' 1795 drawing, but to offsets of *Constellation* he claimed Josiah Fox prepared while in the water in ordinary at Washington Navy Yard in 1806 and missing in 1970 when he compared the data to the transverse sections drawing. Though the overlay pictured in the book, *The Constellation Question*, does not produce a match either, he explains away the difference with the explanation that the slight variations are the result of errors in (Fox's) measurements or Chapelle's inaccurate plotting, but the similarity is sufficient to prove that (drawing) C&R 107 -13-4B is a takeoff of the old frigate, made at Norfolk before February 1853. For Chapelle to explain the differences in *Constellation*'s shape on missing data or due to mistakes in his work, is novel, and after consideration, unacceptable.⁵²

Chapelle, in a fevered, last stand defense over whether or not the navy de-

stroyed *Constellation* in 1853, could not admit that the navy redesigned her three times prior to 1853. In his final effort to defend his previous undocumented conclusion that a second *Constellation* was built in 1853, Chapelle argued that the transverse section drawing was not the shape of *Constellation* after her rebuild in 1853. No one ever made that claim. He concluded from this nonsequitur, stating that it supports (his) claim that the ship was merely double planked in 1811–12 and that her frames in the topsides were not altered. The audacity of this completely unrelated and, therefore, false conclusion is a good illustration of the inadequacy and transparency of Howard I. Chapelle's research.

Neither revisionist, Howard Chapelle nor Dana Wegner, provide in their research compelling, documented arguments to support their conclusions that the navy never redesigned and, therefore, did not rebuild U.S.S. *Constellation* in 1812, 1829, and 1839.⁵³

Since I have demonstrated that Chapelle and Wegner incorrectly ignored or denied that the navy redesigned U.S.F. *Constellation* prior to 1853, these errors in their writings undermine their argument that a new *Constellation* was launched in 1854. However, no sweeping claim is made in this article that the ship *Constellation*, launched in 1797, survived in 1854 as a modernized, modified, and razeed frigate, rated a sloop of war. That is a more complicated investigation, the results of which are contained in *U.S.S. Constellation: From Frigate to Sloop of War*, published by the Naval Institute Press in 2002.

NOTES

1. Howard I. Chapelle and Leon D. Pollard, *The Constellation Question* (Washington, D.C.: Smithsonian Institution Press, 1970); Dana M. Wegner, with Colan Ratliff and Kevin Lynaugh, *Fouled Anchors: The Constellation Question Answered* (Bethesda, Md.: David Taylor Research Center, 1991).
2. Letters, Captain John Rodgers, President of the Board of Commissioners to Secretary of the Navy John Branch, August 2, 6, 11, and 17, 1830, RG45, Entry 28, National Archives (hereinafter NA).
3. Chapelle, *Constellation Question*, 13–16; Wegner and Ratliff, *Fouled Anchors*, 66, 134, 135; Benjamin Homans, *Laws of the United States in Relation to the Navy and the Marine Corps to the Close of the Second Session, 26th Congress* (Washington, D.C.: J. & G. S. Gideon, 1843), 106, 143–44. Recapitulation of Timber on Hand at Gosport, July 1, 1844, RG19, Entry 8, NA.
4. Chapelle, *Constellation Question*, 19; Wegner, *Fouled Anchors*, 3; Dana M. Wegner, "An Apple and An Orange," *American Neptune*, 52 (1992): 82. Both Chapelle and Wegner deny that the navy modified *Constellation's* hull shape in 1812. Neither makes reference to modifications to her hull in 1829 and 1839. And, in a follow up article, Wegner concluded that *Constellation's* hull shape was not permanently altered before her demise [in 1853].
5. Senate of the United States, August 26, 1852, letter number 68 from Congress to President Fillmore and letter number 69, Department of State to J. P. Kennedy, Secretary of the Navy, October 19, 1852, RG45, Entry 29, NA; *Navy Annual Report*, 1852, 320, 326, 350, 351, 630. Neither

Chapelle nor Wegner et al. availed themselves of the Senate Resolution or Kennedy's *Annual Report* of 1852.

6. U.S. Navy, *Annual Report*, 1853, 546 and *Annual Report*, 1854, 475. Neither Chapelle nor Wegner availed themselves to the navy's annual reports, which consistently refer to the rebuilding of the U.S. Frigate *Constellation*.

7. Report, Paul Hamilton to Henry Clay, Speaker of the House, American State Papers, Naval Affairs (hereinafter ASP, NAff), Vol. 1, 253; Joshua Humphreys to Secretary of the Navy Robert Smith, September 12, 1801, Joshua Humphreys Correspondence (JHC), Historical Society of Pennsylvania (hereinafter HSP); report, Captain Edward Preble to President Thomas Jefferson, received, January 1, 1806 (incorrectly logged as January 1, 1805), Thomas Jefferson Papers, CXLVI, folio 255411, Library of Congress.

8. Report, Captain Thomas Tingey to Secretary of the Navy William Jones, October 15, 1814, ASP, NAff-1, 342.

9. Chapelle, *The History of the American Sailing Navy* (New York: W. W. Norton & Co. Inc., 1949), 234; Chapelle, *Constellation Question*, 19, 20, 29, 30; Wegner, *Fouled Anchors*, 2; Wegner, "The Frigate Strikes Her Colors," *American Neptune*, 55 (1995): 246.

10. ASP, NAff-1, 253.

11. Franklin Buchanan, Journal No. 6, Dimensions of U.S. Frigate *Constellation*, 1815, Special Collections, Nimitz Library, United States Naval Academy (hereinafter cited USNA).

12. *Ibid.*

13. *Ibid.* See also, U.S.F. *Constellation* — Orders, Muster Rolls, Stores Book, 1798, Thomas Truxtun Papers, MS-679, 67, HSP; Joshua Humphreys — William Doughty Builder's Draught, reprint No. 408192, RG19, Entry 126, NA.

14. William S. Dudley, ed., *The Naval War of 1812: A Documentary History* (Washington, D.C.: Naval Historical Center, Department of the Navy, 1992), 2:49–50: Charles Stewart to Secretary William Jones, March 2, 1813.

15. Joshua Humphreys to Secretary Robert Smith, October 7, 1801, JHC, HSP.

16. Chapelle, *American Sailing Navy*, 483.

17. Orders and Articles Book of Charles Stewart, 1812–1813, William Nelson Collection, New Jersey Historical Society, Newark, N.J.

18. J. Humphreys to R. Smith, October 7, 1801, JHC, HSP; Buchanan's Journal No. 6, Nimitz Library, USNA. Buchanan's journal provides the dimensions of U.S.F. *Java's* masts and spars.

19. Captain Alexander Murray to Acting Secretary of the Navy Samuel Smith, April 26, 1801, in *Naval Documents Related to the Quasi War Between the United States and France*, Dudley W. Knox, ed. (Washington, D.C.: Government Printing Office, 1938), 7:205; log of the U.S. Frigate *Constellation*, William Crane and John Shaw, commanders, 1817, Huntington Library and Art Gallery, San Marino, California.

20. Board of Commissioners to James Barron, September 19 and October 17, 1827, RG45, Entry 216, NA.

21. Barron to Board, November 14, 1827, RG45, Entry 220, NA.

22. Barron to Board, November 22 (with survey) and Board to Barron, November 26, 1827, RG45, Entries 220 and 216, NA.

23. Board to Barron, November 19 and 26, 1827, RG45, Entry 216, NA; also, U.S. Navy *Annual Report*, 1827, 235.

24. U.S. Navy *Annual Report*, 1828, 159; Board to Barron, December 6 and 7, 1827, RG45, Entry 216, NA.

25. Barron to Board, December 10, 1827, enclosing letter, Francis Grice to Barron, December 8, 1827; Barron to Board, December 15, 1827, RG45, Entries 220, NA.

26. Returns of Repairs to Vessels, one volume, RG19, Entry 5, 171,172, NA.
27. Samuel Humphreys to Board, January 1 and 2, 1828, with report on condition of *Constellation* (report missing), RG45, Entry 224; Board to Barron, January 5, 1828, RG45, Entry 216, NA.
28. Barron to Board, February 21, 1828, RG45, Entry 220, NA.
29. Letter of Transfer of Relics from U.S. Naval Shipyard, Boston, Mass., signed, Leonard F. Cushing to *Constellation* Committee of Maryland, Neil H. Swanson, President, September 9, 1955, Flag House Archives, Baltimore.
30. Returns of Repairs, Vol. 1, 171, RG19, Entry 5, NA.
31. Barron to Board, December 15, 1827, Entry 220; Board to Barron, December 6, 1827, Entry 216, Humphreys to Board, January 1 and 2, 1828, Entry 224, and Board to Barron, January 5, 1828, Entry 216, RG45, NA.
32. Returns of Repairs to Vessels, RG19, Entry 5, Vol. 1, 171; *Constellation* Repairs, Subject Files, Box 520, RG45, Entry 464, NA.
33. Returns of Repairs to Vessels, RG 19, Entry 5, Vol. 1, 171.
34. Watch, Quarter and Station Book, prepared by Lt. William Pearson, U.S.F. *Constellation*, Alexander S. Wadsworth, commander, RG45, Entry 406, NA. See also Buchanan's Journal No. 6, Nimitz Library, USNA, and Midshipman James Miller's Journal, 1832, Library Collections, Maryland Historical Society (MdHS).
35. Lt. Pearson used the word length mistakenly instead of breadth.
36. Buchanan called the orlop deck the berth deck mistakenly.
37. Pearson's Watch, Quarter and Station Book, RG45, Entry 406, NA; Buchanan's Journal No. 6, Nimitz Library, USNA; James Miller's Journal, MdHS.
38. Ibid.
39. Evan Randolph, "Foul Blow," *American Neptune*, 52 (1992): 100; also, letter to the editor, Dana Wegner to *American Neptune*, 52 (1992): 262.
40. Chapelle, *Sailing Navy*, 364, 365.
41. Returns on Repairs, RG19, Entry 5, 171, NA; also, *Army and Navy Chronicle*, July 2, 1840; Frederick Fitzgerald DeRoos, *Personal Narrative of Travels in the United States in 1826 with Remarks on the Present State of the American Navy* (London, 1827); Frederick Barley, R.N.V.R., "Frederick Fitzgerald Roos, Personal Narrative of Travels in the United States in 1826 with remarks on the Present State of the American Navy, London, 1827," *American Neptune*, 21 (1961): 12.
42. E. C. Wines, *Two Years and a Half in the Navy: Journal of a Cruise in the Mediterranean and Lavant on Board the US Frigate Constellation, 1829*, 30, 31 (Philadelphia: Carey and Lee, 1832), 15.
43. Returns of Repairs, Vol. 1, 171, RG19, Entry 5; also, *Constellation* Repairs, 1828–1829, Subject Files, Box 520, Folder 2, RG45, Entry 464, NA. Wegner, *Fouled Anchors*, 139–43; Wegner, "An Apple and an Orange," Vol. 52, 86, n27; Wegner, "The Frigate Strikes Her Colors," *American Neptune* 55 (1995): 246–47. Defending his original report, *Fouled Anchors*, stating that no alterations were made to *Constellation*'s stern in 1828–1829, Wegner in the two articles that followed his original report insisted that the ship received only light work on her stern. He missed completely the archival records which outline the extensive repairs received by her at Gosport, including a new rudder assembly and galleries listed in the returns.
44. Chapelle, *American Sailing Navy*, 364–65.
45. Alexander Dallas to Secretary Mahlon Dickerson, January 6, May 20, and September 29, 1836 and February 23, 1837, RG45, M-125; Returns of Repairs, *Constellation*, RG19, Entry 5, 172; *Constellation* Repairs, 1834–1835, Subject Files, Box 521, RG45, Entry 464, NA.

46. Charlestown Navy Yard Journal, October 24 through November 27, 1838, RG45, Entry 464, Box 92, NA; Leon D. Polland Papers, Special Collections, Nimitz Library, USNA; Captain John Downes to Board, November 3 and 5 and December 11, 1838, RG181, NA, Waltham, Mass. Downes included the unsigned survey with the last letter. A photocopy of the survey is with Leon Polland Papers. See also, RG19, Entry 126, NA, College Park: drawing No. 107-13-4B.
47. Lloyd A. Olsson Papers, Constellation Files, Naval Historical Center, Washington, D. C.
48. Inbound Letter Log: to Bureau of Construction, Equipment and Repair from Commandant Breese of Gosport, February 2, 1853, RG19, Entry 60-A, NA; Chapelle, *Constellation Question*, 29; John Lyman, "The *Constellation* and Her Rebuilding," *Sea History*, July 1975, 26; Wegner, *Fouled Anchors*, 78; Wegner, "The Frigate Strikes her Colors," *American Neptune*, 55 (1995): 347; Chapelle, Lyman and Wegner concluded incorrectly that the Transverse Sections Drawing (107-13-4B) and its companion drawings were prepared at Norfolk in 1853.
49. *Constellation's* Bimonthly Repair Report, Box 92, RG45, Entry 464: *Daily Journal*, Boston, RG181; drawing of Transverse Sections of Frigate *Constellation*, No. 107-13-4B, RG19, Entry 126, NA. The script and print on the drawings, Nos. 107-13-4, 4A and 4B are by two individuals: the titles, etc., are the work of the draftsman at Boston who also prepared *Constellation's* load plan previously mentioned. The writing added to the 107-13-4 series including the word "Norfolk," months and year and the script on the drawing itself is in the handwriting of John Lenthall, which he added when he received them from Norfolk in 1853.
50. Bimonthly Repair Report, Constellation, Subject Files, Box 92, RG45, Entry 464, NA; Navy Yard Daily Journal, RG181, NA, Waltham, MA.; Drawing of Transverse Sections of Frigate *Constellation* (107-13-4B), RG19, Entry 126, NA, College Park.
51. Kevin Lynaugh, *Fouled Anchors*, Appendix B, 157-59, 172, 173.
52. Chapelle, *Constellation Question*, 29, 30; Wegner, "Fouled Anchors," 3.
53. Ibid.



*Clara Barton, founder of the American Red Cross, in 1878, after her stay at the Dansville Sanitarium.
(Clara Barton National Historic Site.)*

A Quiet Partnership: Clara Barton, Julian Hubbell, and the Forging of the American Red Cross

ELIZABETH JO LAMPL

Historians dream of finding letters that give voice to unexpected passions. In the spring of 2001 the author gained access to a small metal trunk filled with original manuscripts. The collection includes eighty-one letters from Clara Barton to her chief field agent Dr. Julian Hubbell, seven hundred letters addressed to Barton (dated 1850 through the turn of the century), and approximately thirty letters Barton wrote to Red Cross supporters and friends. The contents of this private collection, combined with letters in the Hubbell collection at the University of Michigan and letters in the Clara Barton Papers at the Library of Congress, offer a picture of an intense relationship—one that had enormous implications on Barton’s ability to launch the American Red Cross. The correspondence reveals Barton’s return from depression, self-doubt, and need in the late 1870s¹ to renewed strength, confidence, and acuity in the late 1890s. It also brings forth the little known voice of Dr. Hubbell—one that resonated during Barton’s lifetime with kindness, loyalty, and humility, and, after her death, with anger, guilt, and resentment.²

The new evidence throws into question earlier assumptions about the private interaction between Barton and Hubbell. It also raises yet again the recurring issue, in a more urgent way, of Barton’s interest in young, male companions who supported her emotional needs and professional ambitions. One of the most comprehensive scholarly works on Barton is Elizabeth Brown Pryor’s 1987 biography, *Clara Barton: Professional Angel*. Pryor carefully documented the major and minor events and emotional upheavals of Barton’s life, but she was not privy to the letters found in the trunk. Her portrayal of Hubbell relied primarily on three sources—Hubbell’s correspondence to Barton at the University of Michigan, a small collection of letters between Barton and Hubbell in the Clara Barton Papers at the Library of Congress, and Barton’s perfunctory recordings of Hubbell’s activities in her American Red Cross diaries. Based on the available evidence, Pryor saw only Hubbell’s subservience to Barton and dismissed him as “dour, shallow little Dr. Hubbell.” Of their relationship, she concluded: “He followed Barton with devotion and in every way gave his life to her. For Clara’s part, she appears to

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have been fond of Hubbell, but she very quickly took him for granted. Rarely is he mentioned in her letters or diary, and he became neither a significant intellectual companion nor a confidante.”³

These newly found letters make it clear that rather than “quickly” taking Hubbell for granted, Barton struggled to keep him close to her for many years. The material also indicates that she did in fact take Hubbell into her confidence in the most personal way, consistently revealing her insecurities and demonstrating her dependency on him as she did with no one else. The new material also raises the question of whether Barton would have been able to initiate and sustain the great organization associated with her name without the undying loyalty and diverse talents of Julian B. Hubbell. Although, at times, he would subordinate himself to her, of greater importance was his capacity as a thinker, someone whom Barton repeatedly looked to as a partner in the strategic planning and early institutionalization of the Red Cross.

The Strong and the Weak

Clara Barton’s life story is well known. She first came to public attention through her indefatigable efforts to aid wounded soldiers during the Civil War. By 1868 years of Civil War relief work and a subsequent non-stop lecture tour had seriously affected Barton’s health. With her voice all but gone, eyesight failing, and strength dissipated, Barton suffered a nervous collapse. Her doctor advised her to recuperate in Europe. She rested for a short time, but by 1870 she was in Geneva volunteering her services to the International Red Cross to aid the victims of the Franco-Prussian War. After two grueling years working on civilian relief in France, Barton returned home to New England in the spring of 1873, her health and nerves no better than when she had left. One significant change, however, had occurred. Dr. Louis Appia and Gustave Moynier charged her with a mission to persuade a reluctant United States government to sign the Treaty of Geneva, the instrument that established the International Red Cross and laid out the principles of humanitarian relief during times of conflict.

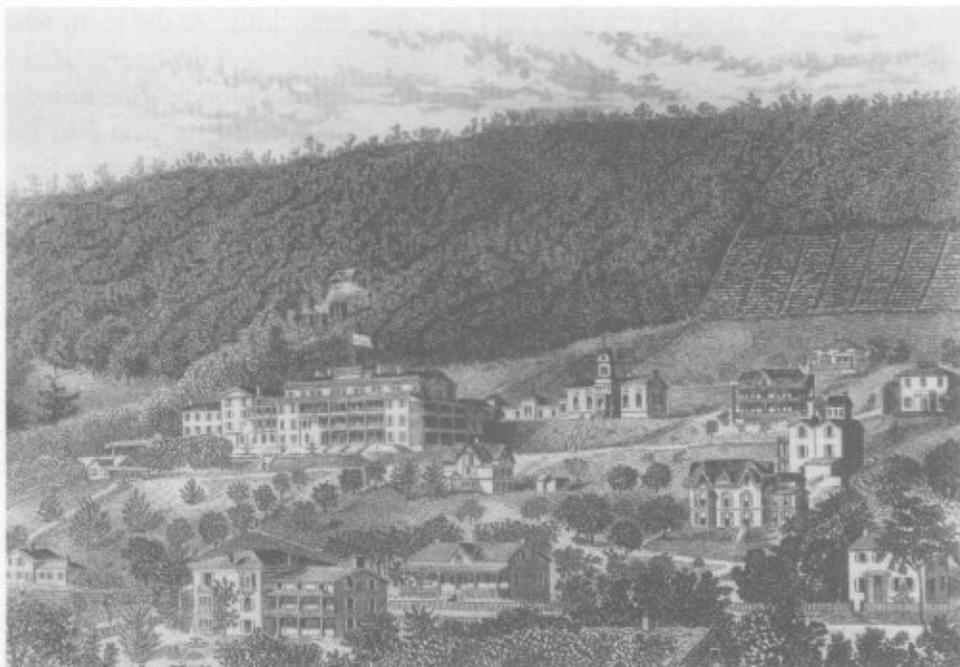
One decade after the end of the Civil War, Barton, who had observed the indescribable pain of war without seeming to flinch, was almost incapable of bearing misery of her own. In 1874 and 1875 she suffered so many physical maladies that she lost her once-famous courage. Her newly found diary for those same years is part of the Hubbell relatives’ private collection and may have been withheld, by Barton, Hubbell, or their relatives, from the collection sent to the Library of Congress many years ago.

This crucial volume clearly reveals Barton at her weakest and indicates the complex nature of Barton’s illness. Her ailments closely resembled those reported by many combat veterans, and included fevers—“I could not get warm” and “lost myself a few moments, and came to myself a perfect wash of perspiration”—and

bronchitis—“My chest is very sore and I see I have Bronchitis.” As did many who spent time in Civil War camps, she suffered lingering effects of dysentery. “Had a full dark operation [and] in a few minutes another very bloody.” She noted a disturbance of the liver and digestive tract. “Am bilious, and have pain over the liver and in the bowels,” she wrote, and “had symptoms of neuralgia over the liver. This helps confirm my impression that my liver is rather hepatalgic, than torpid. I have long thought so.” She suffered from atrophy—“Write Dr. Foote. Tell him of my lameness” and “muscular weakness. This is my own old diagnosis”—sciatica (“Dr. E. P. Banning . . . says my case is spinal irritation . . . fits a brace”), and nervousness (“Weak in the nerves, Tremble—hard to bear things” and “my head is much inflamed, use salt water for it and chew slippery elm for my throat & chest—bathe in lard & lobelia”). Constant fatigue kept her in bed for the greater part of two years. “I was half dead with fatigue,” and “[I] am weak, but get up twice try to pack a few little things get tired, am getting more nervous, feet ache.”⁴

Along with the unceasing bodily complications, Barton suffered from severe depression. “Felt like crying all day.” “My confidence in my ability to live in Washington shaken out of me. I don’t know if I can live anywhere a great while.” She predicted, “I shall break down in one part after another till all is gone.” In 1874, in an early reference to her later, full-blown belief in Spiritualism, she wrote, “There seems to be no future for me on this side. I find myself for the first time in my life making no provisions for any thing farther.” Nightmares plagued her. “I slept only 2 or 3 hours in all night and dreamed of a thin black snake attempting to strangle me.” “*Night*: poor, dreary, and an old fashioned Bilious operation in the morning . . . saw snakes all night.” In several entries she awaited death as a relief to her daily pain. “One dreads the passage out of this life, and all the painful helpless days that lead to it, but how joyful a thing it must be when it is all over, once and for always. This life has been all a failure—I have known and felt this all the way through.”⁵ On Thursday, June 24, 1875, she wrote, “I am weak + ill and remain in bed, so hot and sweaty, but I can not be about in any safety. Am pretty well given up, I do not say discouraged, because I do not feel so. I am not trying or wishing to succeed in anything, and so have no call on my courage or perseverance. I know I am wearing out, and it matters little if the time be longer or shorter.”

With each day finding her feeling worse, Barton sought the advice of several different doctors in a two-year period. Philadelphia’s Dr. Starkey administered compound oxygen inhalation. A Dr. Thomson prescribed “cod liver oil, Jama[i]ca Rum, and phosphate.” From another doctor, Barton received “sulphuric acid,” while taking regular quinine capsules. When medicinal treatments provided no relief, Barton turned to age-old remedies. “I take whisky after all day to keep up the circulation.”⁶ By 1876, wearied by these ineffectual treatments, Barton sought permission to enter the Dansville Sanitarium. Known as “Our Home on the Hillside,” the sanitarium was one of several hydrotherapy resorts across the country.⁷



The hillside setting of the Dansville Sanitarium, or "Our Home on the Hillside," as seen in a lithograph of the town made prior to 1882. Barton came to Dansville in 1876 as a guest of the Sanitarium to recuperate from what was then known as neurasthenia. (New York Chapter, American Red Cross.)

It was in Dansville that Clara Barton met Julian Hubbell, who had arrived in town the same year. Together they entered upon the most enduring relationship of both their lives. Hubbell was twenty-six years younger than Barton, but Barton had a history of enjoying and relying upon the company of younger men. One can trace a line from the boys Barton taught at school in Massachusetts and New Jersey in the 1840s and 1850s to the young men she aided on the battlefields in the early 1860s. After the war, Dorence Atwater and Jules Golay helped her identify thousands of missing and dead Union soldiers between 1866 and 1868. The succession of young men then moves to take in Julian Hubbell, the young professor she chose as her chief field agent in 1881. In the early 1890s, Barton would cling to George H. Pullman, of the wealthy Pullman palace car family, designating him financial secretary. She also selected the roguish John Morlan, a young Johnstown volunteer, to head the Red Cross Park in Indiana. Finally, she relied quite heavily on her nephew Stevé Barton, an insurance man and vice president of the American Red Cross, in her later years.

This preference for the companionship, assistance, and admiration of men who were between two and five decades younger than she was leaves the biogra-

Julian Hubbell as a young man, appearing much as he would have to Barton at their first meeting in Dansville, New York, in 1879. He was a professor and co-director of the Dansville Seminary. Barton was a patient at the nearby Sanitarium. (Private Collection.)



pher to ponder whether it originated from unfulfilled maternity, suppressed romantic love, or a co-mingling of the two. The same qualities that made Barton break down in the face of feminine discord inclined her to situate herself among masculine attendees.⁸ Cloaked in humor but indicative of the truth, Pullman openly called Barton “the Queen,” and Stevé called her “Sissie.” More complicated in its implications, Hubbell called Barton “Mamie.” With the latter two men, Barton freely used these names herself.⁹

No man struggled more than Julian Hubbell to aid Barton during her life and keep her legacy alive after her death. The basic facts of Julian Hubbell’s life are known, but not the roots of the self-abnegation that made him a suitable companion to Barton. Julian Bertine Hubbell was born on February 5, 1847, in Sabula, Iowa, the third of four sons born to William Hubbell and Eliza Jane Smith. In 1849, when Julian was just two years old, his father died suddenly at the age of forty-three.

Julian’s mother was the constant force in his early life. Within a year of her first husband’s death, she married Dr. Samuel G. Matson. The family moved to Anamosa, Iowa, where one additional child survived, a daughter, Catherine, or

“Kate.” In 1862 the family moved to Prospect Hill in Martelle, Iowa. Although Eliza Hubbell and Dr. Matson divorced, Julian and his half-sister Kate remained close. Eliza gained the land, “Hubbell Farms,” after the divorce.¹⁰

In 1862, when Julian was fifteen and Charles thirteen, town leaders were already taking notice of the two surviving Hubbell boys, who were described as “keeping pace with men of larger years and experience.” Charles became a farmer, but Julian, considered by the family to be more intellectual and a dreamer, meandered. In their sophisticated Iowa household, Julian remembered that they read New York newspapers and *Harper’s Weekly*.¹¹ He tried the brokerage business and taught school for a while, before enrolling in Cornell College in Mount Vernon, Iowa, in 1874 at the late age of twenty-seven.

Hubbell took coursework that prepared him for a profession in the sciences and/or architecture/engineering. Initially enrolled in the science curriculum, he studied physiology, zoology, botany, algebra, trigonometry, surveying, geometry, Latin, and drawing. He switched his major to civil engineering in his sophomore year and took classes in geometry, calculus, physical geography, the history of civilization, and graphics.¹²

In 1875, Julian began the transition away from Iowa to New York and listed the latter as his address in the school directory. His half-sister Kate and her husband Samuel Goodyear lived there as Goodyear was principal of the Dansville, New York, Hygienic Seminary. Goodyear quickly lured Julian away from college to share the teaching and administrative responsibilities. Thus, in 1876, Julian cut his college education short to become co-principal at the Dansville Hygienic Seminary. In addition to administering the institution, Hubbell taught science.

Within a year of arriving at Dansville, Goodyear placed Hubbell in charge of designing the seminary’s four-story Second Empire ladies boarding hall. Hubbell’s days at Cornell had indoctrinated him with the notion of higher education for women and a belief in women’s rights. The *Dansville Advertiser* noted, “The raising of the new seminary building is about complete, the fourth story being raised yesterday. The building is beginning to show some of the beauty of form that its architect, Prof. Hubbell, has planned.”¹³ Hubbell’s architectural abilities became an important ingredient in his Red Cross collaboration with Clara Barton.

Their meeting in Dansville in 1879 was not accidental. Hubbell sought out the Civil War heroine. He had been fourteen at the start of the Civil War and had eagerly followed her search for missing soldiers in the newspapers and periodicals that were read in his home. He learned of Barton’s presence in Dansville from his mother, who had an “intimate friendship” with Barton, the origins of which are unknown.¹⁴ After first seeing her at a sanitarium function, Hubbell then located her at the house she was renting down the hill (her health having improved enough to allow her to leave the sanitarium proper). There he found Fanny Atwater



By 1878, Barton was living in this house down the hillside from the sanitarium in Dansville. Julian Hubbell built a telephone and connected the house and seminary so that Barton could call upon him whenever she needed assistance. (Dansville Chapter, American Red Cross.)

(Dorence's sister) and Hannah Shepherd, a journalist Barton had met in London, living with Barton, ostensibly to assist her.

Barton and Hubbell's earliest Dansville letters were characterized by politeness and formality: "Dear Prof. Hubbel, Do you think I might venture to ask you to step over a moment some time this P.M., or evening. I wd like to speak with you concerning a *little* errand I should *very* much like to have Mrs. Goodyear do for me in N.Y."¹⁵ On April 25, 1879, Barton responded to an act of thoughtfulness, saying: "My dear Professor, How good you are to think of me! And how good your *gift* was. . . . You must oblige me still further by coming sometime when I am a little more myself. . . . Most gratefully and truly, Your friend, Clara Barton."¹⁶

Hubbell was not just being kind; he responded out of great concern for Barton's condition.¹⁷ He connected her house with the seminary by a telephone of his own construction so that she could contact him whenever she needed assistance. In a letter written many years later to Barton's nephew Stevé, Hubbell recalled the situation:

34 years ago I found your aunt Clara Barton on a bed of illness, prostration from over work, too feeble to stand alone — not one of her own family near to help or to care for her. I was amazed + astonished then. . . . She whom the whole world knew even then for her great unselfish work, without a member of her family to stand by. I saw the need — the necessity of some one to be near for the preservation of her life. I gave up my own affairs to remain with her until some of her family might come to her aid. No one ever came.¹⁸

Outraged that Barton's family was not helping her, Hubbell moved into his own room at Barton's home within a year, where, because of his devotion, she came quickly to depend on him.

Barton encouraged Hubbell to study medicine, following the dictates of a June 14, 1877, letter she received from Dr. Louis Appia of the International Red Cross. "Surround yourself at once with a little body of persons full of good will and capacity, docile to your directions, either women or young men, especially doctors," Dr. Appia wrote. "Amongst the latter choose a secretary who must be entirely at your service."¹⁹ Hubbell's stepfather had been a doctor so the idea was not necessarily foreign to him. After receiving some training from a practicing physician in Dansville, Hubbell decided to apply to the University of Michigan College of Homeopathy. Hubbell's mother, perturbed at him for delaying career decisions, wrote to him in Dansville in 1880:

Now Julian have you given up going to Ann Arbor? If not I fear you will have spent all of your money I let you have and your time, & will be no better off in a year from now. You know time is fast passing away and what do you intend to do for a living? . . . Of course it is very pleasant to stay with Mrs. B. but you ought to look out for a *living* for yourself & you are getting *old* to commence.²⁰

In 1881, Hubbell finally did depart for Michigan to study homeopathic medicine. By then, he and Barton had developed a deep attachment. Their first exchange of letters reveals not only a mutual sense of loss but also the strange and revealing peculiarities of their dialogue. Hubbell always wrote of himself in the third person, possibly indicating a desire for self-effacement. Barton herself used the first and third persons interchangeably. The first letter Hubbell wrote from Ann Arbor cooed, "He wishes that he could see Mamie a little while, yes he does — Need I say he misses her?"²¹ Beginning early on, Hubbell, who was boarding with another woman whom Barton knew, had to reassure Barton of his loyalties to her. "He likes Mamie better than Annie."²² Barton, initially steady, replied:

My precious Little Boy: I . . . am glad Anne opened a hospitable door to

you. . . . Mamie *misses awfull* [sic], but gets on splendidly. . . . She remembers & follows all the injunctions so kindly given her — she sleeps when sleepy, gets *warm* when chilly [sic], *at once*— retires at 9 ½ — 8 now that the eyes are in a little danger. Lies till broad day light — I know I shall miss your care, strength, and must as far as possible make up for this by extra cautions. . . . I am well and do not feel the loneliness of the *house* at all. I feel the loss of my little Boy, but that is all.”²³

Within a month of Hubbell’s departure for Ann Arbor, however, Barton’s emotions intensified to the point of feeling abandoned and jealous of Hubbell’s new female acquaintances. She was: “glad . . . he . . . gives her a little the preference before Annie but this will wear away, and by association Annie will come to take her legitimate place, and stand first of all as she ought. She is the chosen of his heart, and the hope of his life, and must be so recognized.”²⁴ Hubbell wrote back five days later: “Oh, Mamie, how that hurt. It may be just as Mamie says but it went to his heart the same, and, to every nerve till his whole body ached with pain. Mamie! Do not *think* so anyway.”²⁵ In February 1881 the presence of another man in her house put Barton at ease. Her nephew Stevé came to visit her in Dansville. She wrote to Hubbell, “Stevé *is* a capital fellow, he reminds me of a high life spirited horse, perfectly broken, so manageable that a child can deal with him, and yet a match for the strength of a man. . . . Mamie almost thought she had her boy back sometimes.”²⁶

Nevertheless, Barton indicated to Hubbell that all was not well with her mission to form local Red Cross societies. She alluded to Shepherd and Atwater, her former Dansville houseguests, without naming them, then described their alleged intention to steal her Red Cross plans in terms of one being persecuted. “The nest is in Washington, and is a nest of vipers. I have remained away from there dreading them, but if they *will compel* the fight, I must meet it. . . . I shall most likely tell you more of it, shall *have* to I presume you know how silent and guarded I have been, with even one so intimate as my boy.”²⁷

Thoughts of a competitor pushed Barton into action and she decided to go to Washington to convince those in power to sign the Treaty of Geneva. She wrote to Hubbell in February 1881. “She wishes her Boy was with her, she misses him all the time. He will come in July . . . and how soon he will be a real M.D. and then how proud Mamie will be of her Dr. Boy. And he is to always come to care for her when she is ill.” Hubbell wrote back that she was “in a *grand good course*, for humanity and for her country. . . . God bless and guard my Dear good, true, generous, grand noble, loving Mamie. Good night, Her boy.”²⁸

With Barton in Washington, Hubbell himself was not without feelings of jealousy, but he sheathed them in concerns of not overtaxing her. In February or March 1881 he wrote to her in Washington. “It seems just as if there were more *true*

stalwart men in power in Washington now than before for years. . . . Yes, I expect *many* 'of them would like to dine with Mamie' in her own house. Glad Mamie has not put herself where she shall have more care for others in her own house, so that she may avoid the annoyance that might come to her."²⁹

Barton apparently conveyed her anxieties about losing Hubbell in a letter shortly thereafter, for in April he reassured her again that he had not forgotten her:

while he admits that he is like all other human beings . . . he does not know how he could respect himself should he forget one who has given her whole life for others, through dangers, opposition, and misunderstandings, one whom he selected from all the women of the war, years before he ever saw her, as his heroine, to be the most admired of all. . . . No doubt he will have interests that will call him away from her, but he asked her once for an honor; that when ever she was in need of care, or sympathy, or aid in illness, she should send for him. Mamie he thinks of no honor now that he should choose to that. Sweet Mamie! Do not think that your boy will forget you. Only as your Boy, but as one who has the highest honor and the tenderest love for his Loving Mamie.³⁰

During the entire first semester of Hubbell's medical school training, he and Barton were preoccupied with plans for his July visit to Dansville. The visit never took place. Early American Red Cross missions, prompted by the 1881 Michigan forest fires and the March 1882 ratification of the Treaty of Geneva, kept them physically apart, but bonded in purpose.

Unable to resist Barton's formidable will, Hubbell accepted the challenge to lead the field efforts of the nascent American Red Cross. His leadership in early fieldwork made it possible for Barton to succeed in her greatest contribution to the International Red Cross—the "American Amendment"—that called for humanitarian service not only during wartime, but during *natural* disasters. Although Barton could manage the art of politics in Washington on her own, her mental and physical incapacitation after the Civil and Franco-Prussian wars had shaken her confidence for fieldwork. Barton simply would not go to the Michigan disaster area without Hubbell. In September she wrote, "they want to send some one; Mr. Sweet wants me to go, he thinks it the most fitting thing that the President of the National Society should be at the first relief afforded under it. Now if My Boy were either here to go with me or in Michigan to meet me and help there I would go, but I dread to go all alone, and shall not risk it." He wrote back, "Now if M. wants him she must not be afraid to send."³¹

Barton sent Hubbell on to Michigan, thus making him the first Chief Field Agent of the fledgling American Red Cross. There was no ceremony then, and

Julian Hubbell in middle age. In the 1890s, Hubbell spent several years apart from Barton when she sent him to Indiana to turn around a failing farm that had been donated to the Red Cross. (Clara Barton National Historic Site.)



there never would be one. Quiet dedication and extraordinary ability became the hallmarks of Julian Hubbell's relief work. Immediately after the decision to send him, Barton felt the familiar abandonment and strain of being left alone to handle the pressures of the organization, its mission, and publicity through books and pamphlets. Her personal loss even overwhelmed her inclination to aid others. "Still my whole being is sore sad and sorry that I *did* feel compelled to take the steps — to let you go away from me — out of my hands when I so much need you, when I had so longed for you to come — that I could depend upon you so much for *every* help — that even *before* it had commenced I should feel *compelled* to see & to point out a place where you could be of use to *others*," she wrote him in September 1881. "I need you at Dansville this minute to work that *Book* — that proof and help to get it all out."³²

As would be typical of other Red Cross relief efforts, she urged Hubbell to get in and get out quickly. "If you do go, let it be only to get the work *under way*, get it inaugurated, get it before the public and if need be call some one else to take your place and come home to Mamie." Within a week of having assigned Hubbell to ready himself for Michigan, Barton was breaking under the burden of being alone with the enormous strain:

There is *no one* to help Mamie, and she doesn't sleep over three hours at night now. She gets a *little* apprehensive about her being able to carry it *all* on by

herself . . . but if, as he says, he has some thought of coming, he would be *most welcome* . . . if he comes, don't delay, as she needs soon . . . for if she *has to give up*, she will need no one, *then*. . . . She feels herself skating on thin ice"³³

Hints at suicide recur in Barton's writings. Although they may appear melodramatic, they accurately reflected her delicate state. The letter of September 1881, typical of Barton, put tremendous pressure on Hubbell to come to her. As is true with that letter and many others, Barton ended her strongly worded appeal with an opening that released her—in her own mind—from responsibility for his actions. "Now you must act just as seems best for yourself and when you decide tell Mamie, she will make it all right."³⁴ To suggest Barton was manipulative would be too easy, but to suggest she was persuasive would be too kind. The truth lies somewhere in between. Although Barton routinely applied extreme pressure on Hubbell to accommodate her, her private diaries show that she experienced life through an undeniably fragile set of nerves. She was aware of the strength of her words, but also aware that she would sink without an emotional lifeline.

True to his word, Hubbell proceeded to Michigan to survey the damage and manage Red Cross efforts. Because their letters crossed in the mail, Barton never even knew he arrived. Contrary to Pryor's portrayal of Hubbell as always subservient, his actions in Michigan demonstrated his ability to function and represent the Red Cross when necessary without Barton's direction.³⁵ With compassion and ingenuity he related how he intended to collect school and reading books, primers, slates, and pencils and to wrap them up with Red Cross paper and distribute them to fire victims as Christmas gifts.

When she finally learned he had been to Michigan, Barton's letters illustrate her feelings of dependency on a man to keep her sane. "During all this time I could not learn if you went to Michigan, or to Dansville . . . till I got almost bewildered with the strange cle[a]rest like feeling. I began to fancy myself another Robinson Crusoe, and had not even a man 'Friday' to cheer my loneliness." Barton again gave way to jealousy in the letter, mentioning the landlady with whom Hubbell boarded in Michigan as a possible obstacle to his overdue visit. "If you don't feel it too great a loss to be away from 'Anna' — this I cannot estimate of course — you know best — *but*, if this is *not* vital, Mamie is so glad to have some of the days paved [?] around her even if she is bad and runs off, she is sure to run back if she lives." She again mentioned a pamphlet that she was preparing on the Red Cross, and in her typically emphatic way, implored Hubbell to oversee the work. "It wants some one *interested* to look at it *all* the time, to watch it in the *press*, till it is out, and to hasten it on and supply deficiencies. Now if Mamie has to go to Wash[ington], and she *must* be there the 26, she cannot be in Dansville to watch that pamphlet and if her boy *is* there will he do that for Mamie?"³⁶

Only the pressing business of her work, founding the American Red Cross,

kept her motivated and allowed her to maintain some distance from Hubbell. After all her pressure upon him to visit Dansville, she removed *herself* to Washington in October when he came. "It is so *too* bad not to see more of the boy on his visit," she told him. "She is distressed about it." She also instructed Hubbell to continue overseeing the pamphlet and told him to write to her in "*Washington, D.C.* — no number for I don't want my letter to get into the hands of the carriers."³⁷ This admonition was one of several between them that indicated a perceived need to be covert in their correspondence. Barton preferred to pick up her letters in person from the post office, undoubtedly fearing that their relationship would be judged suspect. It certainly had an intensity that would have been unseemly if revealed.

When the Mississippi River flooded in 1882 and the Red Cross was again called upon for assistance, Barton felt constrained by Hubbell's schooling. With Judge Sheldon, an early Red Cross founder by her side in Dansville, she wrote to Hubbell that she was "at the head of her societies once more." They were sending volunteers to the flooded areas, "thanks to the good true work of the boy last year," a reference to his pivotal role in organizing many local chapters in the South and Midwest. Hubbell, not Barton, founded the Chicago, Milwaukee, Cairo, Memphis, St. Helena, Natchez, Baton Rouge, and New Orleans societies in the organization's first two years of existence.³⁸ But in her typical manner of sending Hubbell a conflicting message, she wrote:

How Mamie wishes, every hour that the Boys term was at an end, and he could just go to the field and *organize*, but that *must not* be. He must not be hindered, and driven into *another* year — he must go right on and finish up, and *then* come and see Mamie and she will push this on as well as she can without him. Judge Sheldon is here now . . . but is liable to go home at any moment."³⁹

By the time she picked up her pen three days later, after the judge's departure, she had descended into a different frame of mind—the familiar terrain of abandonment. "Mamie is *all alone*," she lamented. She then told Hubbell that the societies were sending her money and telegraphing her regarding the flood, but that "Mamie is in doubt what to do." "Now Mamie will send you copies of the telegrams she has received," she wrote, suggesting how deeply she depended upon Hubbell for strategic advice, ". . . and tell you of the letters and then the boy will know just how it all is, and can advise Mamie by letter or telegram at *her cost* at any moment he has a thought to give her — she begs him to. She is so alone with a *great* work on her hands and as he sees not a single advisor to turn to."⁴⁰ She worded a much stronger appeal at the end of March. "We [the Red Cross] should like *you* to go. . . . We need an agent there this minute to *report* back to us for confirmation by the Red Cross."⁴¹

Once again, Barton moved Hubbell to interrupt his studies and come to her aid. This time she sent him to Vicksburg, Memphis, and Helena to oversee flood relief and establish local societies. He first stopped in Chicago to help establish a Red Cross society there, and Barton again commended the young man's skill. "If you can find it best to stay a *day* or *two* or *three* to get her [Mrs. Mary Weeks Burnell] in good running *Red Cross* order it will be time well employed. It is so well that you know the principle and the manner in which the Societies organize."⁴²

In the early 1880s, Barton was sufficiently healthy to play the role of *off* the field organizer, and she confidently dispatched the capable Hubbell *to* the field. Barton advised him to act with the confidence that she herself lacked. "You must remember, that now, you are to lay aside your quiet modesty, and take up the roll of an *experienced* Red Cross Agent, the first-ever sent out in this country. . . . You are not to ask other persons *how* you are to do, but to tell them how they are to do. This may be a little hard for you, but you must do it. And you go as a *Dr.* as well." Barton was well aware of the need to publicize the work of the Red Cross. She instructed Hubbell to write detailed reports and urged him to call upon his artistic talents. "Then if you can send a little sketch of any thing interesting it can *perhaps* find its way into Frank Leslie's [magazine]."⁴³ By April she was encouraging him to make the Red Cross look financially sound. "You do perfectly right to stop at the *best hotels*. . . . Don't let the Red Cross ever go in rags." Privately, however, she acknowledged the façade. "If the impression went out that it were so many thousands it would do no harm. So you need not state the size of the R.C. *purse* to *anyone*."⁴⁴ Barton feared disclosure that the Red Cross was anything but solvent and efficient.

She resisted calling Hubbell back from the field: "The fact of your *being* there is our *best card*."⁴⁶ In her published writings she described his work in straightforward fashion, including his name in her accounts of individual relief fields. In *The Red Cross in Peace and War*, for example, she included his official field reports as part of her chapters and notes that he was the agent sent to the field.⁴⁷ Privately, Barton graciously acknowledged his sacrifice. "You have made a good impression all the way . . . and helped the cause more than any one else. I hope it may one day be able to help you."⁴⁸ When he had completed his job in the flooded district, she praised him. "You are the leader in red cross field work in this country . . . you have earned your position — and it is not to be questioned — you have the confidence of all."⁴⁹

Yet Barton and Hubbell fervently shared the belief that the task of spearheading the Red Cross in America fell distinctly upon Barton.⁵⁰ When she most doubted her abilities, Hubbell always reiterated the greatness of her work. There were times when Barton's dependence frightened Hubbell, when the fact that his heroine leaned so heavily on him made him clearly uncomfortable. "Mamie must not



The 1887 encampment of the Grand Army of the Republic on the Mall in Washington, D.C., where Barton and Hubbell set up a temporary hospital and treated over two hundred patients. Barton is shown under the Red Cross flag while Hubbell is standing two persons over to her left. (Clara Barton National Historic Site.)

estimate his ability to help her so high, he does not want her to, he is afraid he will be the cause of her making mistakes and he has been anxious." In wording that reveals weak self-esteem, he added, "Now he wants Mamie to always consider his suggestions as no more than a child's, and never to act upon *any* of them until they have passed her careful judgment. . . . He did not write earlier because he did not know who carried her mail and they might think it was coming 'rather frequent.'" Two weeks later he added, "He does not know whether he told her that she must feel perfectly free to call for him when she needs . . . because he is her boy — and hasn't she a right to call on her own boy when she wants him?"⁵¹

Despite his statements to the contrary, Hubbell was not keen on being abruptly removed from his studies. When the Ohio River Valley flooded in February 1883, Barton immediately called for Hubbell and even wrote to the president of the University of Michigan to confirm that if he spent two weeks at the scene of disaster he could still graduate on time.⁵² Reluctant to go, Hubbell wrote back that he doubted there was necessity for further aid in the flooded district but admitted it would be a "favorable opportunity to increase the number of societies." He added, "Was in hopes Mamie had some one who would volunteer, who could do more efficient work tha[n] the boy, but if she has no one he will do the best he can, but Mamie must not expect much, *not* as much as last year — now she must not."⁵³ Of course Barton had no interest in sending anyone else, so together they journeyed down the Ohio River on the packet boat *Josh V. Throop* to distribute lumber, bedding, supplies, etc. Hubbell later said that it was their mutual quality of "endurance" that made them such a good team.⁵⁴

Nevertheless, as his academic work neared completion in the spring of 1883,



Johnstown, Pennsylvania, after the devastating flood of 1889. A thirty-foot-high wall of water surged through the city on May 31, 1889, killing nearly three thousand people and leaving many homeless. (Private Collection.)

Hubbell considered the possibility of a career apart from Barton. He thought in terms of revamping an outdated medical system and awakening people to the possibilities of preventive medicine. Writing of himself, he told Barton of his plans. "It seems as if he should spend another year yet in study. So that he may be able to stand *first*. Wherever he may be he wants to take a special course in Chemical Analysis, physiological chemistry, Toxicology, and to spend a few months in some of the larger hospitals familiarizing himself with various diseases, treatment, and operations. He does not want to settle just as an ordinary doctor. They are of mighty little good to any community. An unnecessary evil. . . . He constantly feels that a part of his time must be given to teaching. . . . To teach common sense in place of so much Greek, Latin, Algebra & c." As usual, her letters to him noted her loneliness and even mentioned the possibility of a good salary for an assistant.⁵⁵

Once more Barton foiled Hubbell's wishes. She sought his help and again he found her demands irresistible. Hubbell graduated from the University of Michigan Homeopathic Medical College in June 1883, the same year that Barton was pressured into accepting a position as head of the Reformatory Prison for women in Sherborn, Massachusetts.⁵⁶ Lonely and in unfamiliar circumstances, she wrote, "She needs her boy to help her in many ways and many things, but she expects from his letter that he intends to take another year of study or go directly or earnestly into practice." Feeling rejected by plans that did not include her, she insisted on a visit. "Mamie has a right to a *family* here — she has none . . . if her boy



A main street in Johnstown after the flood of 1889. The American Red Cross' relief efforts, including the construction of housing and hospitals, earned high praise. (Clara Barton National Historic Site.)

would like to he can come *better* than he could go to Dansville. . . . *She* needs him. Now will he consider this an invitation just as strong as Mamie can give?"⁵⁷ There is no evidence that Hubbell continued his intended studies. Instead, he worked on flood relief through 1884.

By the mid-1880s, Hubbell had abandoned his own aspirations and committed himself to assisting Barton with the Red Cross. After the close of the Ohio River relief field, he traveled with her to Europe. He organized the relief effort for the Texas famine in 1885, then traveled west with Barton the following year. By 1886 the idea of American Red Cross disaster relief was slowly entering the American consciousness. With Hubbell by her side, Barton was able to attend to the victims of the South Carolina earthquake and the Texas drought of 1886. In 1887 they both participated in the Grand Army of the Republic encampment in Washington, D.C., where they set up a makeshift hospital on the Mall and treated two hundred cases of illness. They also traveled to Karlsruhe, Germany, in September 1887 to attend the Fourth International Red Cross Meeting. Hubbell went on alone to help tornado victims in Mount Vernon, Illinois, in February 1888 and then to Florida to aid sufferers of a yellow fever epidemic.

The Red Cross's most successful effort came in 1889 in the aftermath of the Johnstown Flood. Barton's intelligent organizing made her a national heroine. She stayed a month. Hubbell arrived first and left last. Now a certified doctor, amateur architect, and experienced humanitarian organizer, Hubbell was respon-

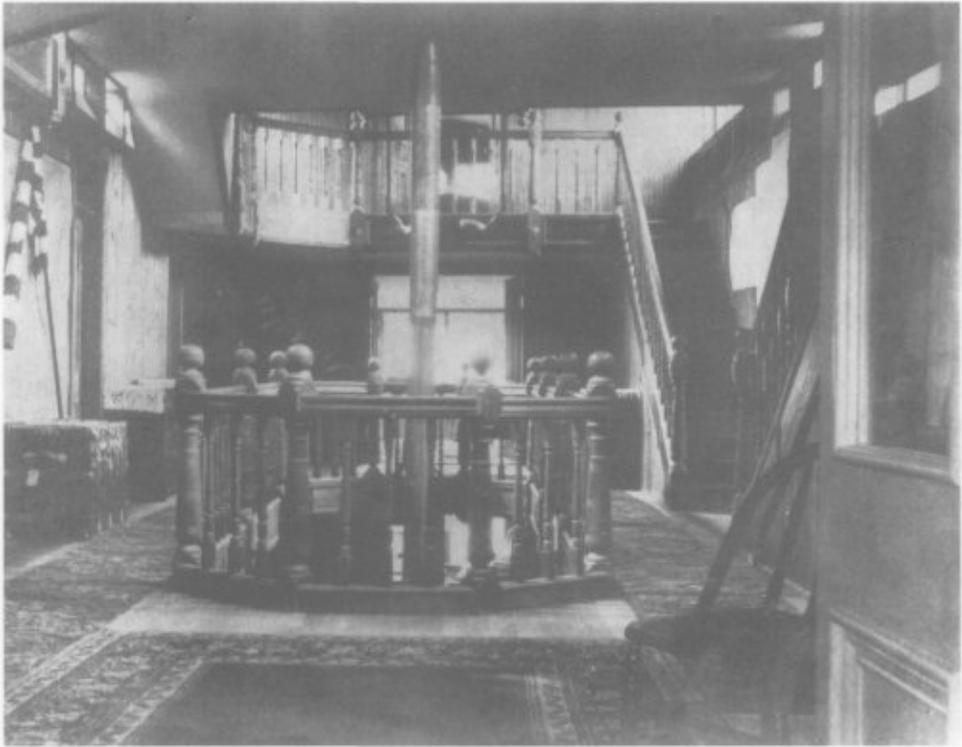


Barton's house and American Red Cross headquarters in Glen Echo as it appeared c. 1898, when the remodeling was almost complete. The design of the building is known to have been Hubbell's, based on his Johnstown "hotels." (Library of Congress.)

sible for supervising and carrying out Barton's complicated relief plan. Assisted by a large Red Cross corps of fifty doctors and nurses, Hubbell designed and oversaw the construction of a warehouse, an infirmary, and four "hotels" for displaced persons identified as the town leaders. The speed with which the buildings went up and the feeling of hope they engendered for the inhabitants gave the American Red Cross their first truly resounding success. Hubbell also served as the chief doctor at the Red Cross infirmary and as the organization's spokesperson after Barton's departure.

In 1890, as Johnstown recovered, Barton again looked to Hubbell for counsel. She wrote to him in January about purchasing land in the new subdivision of Kalorama.⁵⁸ A better solution presented itself when she was offered a prime piece of land within a planned Chautauqua community in Glen Echo, Maryland. As he had with the Johnstown buildings, Hubbell designed and oversaw the construction of the Red Cross House at the National Chautauqua at Glen Echo, the structure that, though altered in 1897, has become the Clara Barton National Historic Site.

Barton remained in Washington and sent Hubbell as the sole United States delegate to the 1892 International Conference of the Red Cross in Rome. From



Interior of the second floor of Barton's house and Red Cross headquarters, c. 1902. At the back of the second floor were bedrooms initially assigned to the Red Cross officers of 1897. Barton's was on the left, George Pullman's in the middle, and Julian Hubbell's on the right. By 1904 the middle room had become Barton's private sitting room. (Clara Barton National Historic Site.)

there, she dispatched him to Riga to single-handedly oversee the distribution of a vast amount of U.S. corn to Russian famine victims. Tzar Alexander III and Count Leo Tolstoy praised his efforts. Back in the United States, Hubbell traveled to Pomeroy, Iowa, to aid victims of a cyclone. By 1893 he was in Chicago preparing for a Red Cross exhibit for the World's Columbian Exhibition.

Without another man to assist her, Barton remained incapable of tolerating Hubbell's absences for long periods. In May 1893, when Hubbell did not make himself readily available, Barton wrote, "I do intend to send for George H. Pullman." She had met Pullman—nephew of George M. Pullman of the Pullman palace car—a month earlier, at which time the charming young widower had expressed his commitment to the Red Cross. Her letter to Hubbell contained an emotion as yet not seen in their relationship, anger. For the first time, her greeting was a cool, "Dear Doc," a far cry from the intimate appellations of years past. "I grow tired of being the only motor in existence about me," she snapped. "If any thing is to be done, I must move it — anything to be paid I must pay it."⁵⁹

By September 1893, Barton had Pullman and Dr. E. Winfield Egan by her side, and their assistance calmed her nerves. She found the courage to embark upon a new relief field, the Sea Islands off the coast of South Carolina, where she assisted the mostly black population of thirty thousand who had been devastated by a hurricane. This time she wrote kindly to Hubbell and asked him to join her, warning him of the risk of malaria and again addressing him as "Dear Boy."⁶⁰ Hubbell reached the Sea Islands a month later. He supervised the medical clinic and the building of three hundred miles of irrigation ditches that prepared the land for planting. By June 1894 the Red Cross had completed one of its hardest relief missions.

With Pullman available to accompany her back to Washington, Barton had far less need for Hubbell. As with Hubbell in the 1870s and 1880s, Barton's interest in Pullman quite consumed her, despite the fact that she was in her early seventies and Pullman was nearly five decades younger. Her diaries for this period point out his activities in red ink and record sadness when he was away. As Pryor suggested in *Professional Angel*, Barton's feelings for him appear to have been more than professional.⁶¹

In 1896, Barton, Hubbell, Pullman, and several others traveled to Turkey to assist Armenians who were being starved and persecuted by the Turks. They spent five months in the interior of the country, helping to rebuild people's lives. Barton administered the operation from her headquarters in Pera, Constantinople.

When they returned to the United States the following year, Barton decided to establish her permanent headquarters at Glen Echo. The plans included renovating the 1891 Red Cross House she and Hubbell had designed. Barton dispatched Hubbell to the Red Cross Park in Indiana several times but still designated a bedroom for him in her suburban Maryland home, one of three in the back of the second floor Barton handpicked for herself and Red Cross officers Pullman and Hubbell. Barton wrote to Hubbell about each and every detail of converting Glen Echo to her full-time residence and headquarters.

Though happy about the renovation of the house, Barton was becoming increasingly discouraged by Pullman's erratic behavior. His problem with alcohol grew more severe, and Pryor suggests he may have suffered from syphilis.⁶² The final blow came when Lily Mason, daughter of a former Red Cross volunteer, accused Pullman of having married and impregnated her, only to abandon her for another woman. Pullman resigned in disgrace from the Red Cross in December 1897 and fled the country for Europe.

After Pullman's disappearance, Barton increasingly relied upon her nephew Stevé to fill the role of young, strategic advisor. Her tone toward Hubbell changed to one that sounded distinctly maternal. In a letter of January 14, 1898, Barton granted Hubbell permission to leave the Red Cross Park and visit his family. She signed it, "Your loving scolding old Mamie." The last letter between Barton and

Hubbell in the private collection was written the next day as she wished him off for a needed family visit: "Be a good boy. Don't worry. Go see to his matters."

Barton's need for Hubbell's singular devotion resurrected itself again in the late 1890s, when she noticed another woman vying for his attention. Mary Elizabeth Almon, or Mea, made known her interest in Hubbell as well as her strong disapproval of Pullman. Hubbell later recalled what had transpired between himself and Mea to a Colonel (Sears) in a confidential letter:

The Jasper scarf pin by Tiffany, I wear was given me by 'Mea' . . . The daughter was . . . an ardent admirer of Clara Barton. But when Pullman came and remained with her, she M.E.A., despising Pullman, gave Miss Barton up — wanted me to come with them for my home. I couldn't leave Miss Barton with all she had to do — with the details and little things that no one else would do without pay — and wouldn't know *how to do*. Anyway, 'Her, MEA's, fortune would be mine.' I could not leave Miss Barton even though a *dozen* Pullmans should inveigle themselves into her confidence so I lost connection and knowledge of the Almon family. I didn't *begin* thinking to write all this, never spoken before, so consider confidential."⁶³

Hubbell considered moving away from Barton in 1897, to just where is uncertain, but quite possibly to be with Mea. Barton alluded to this possibility in a letter that August. "I have no idea how it would seem to me to feel you living somewhere else," she told him. "I suppose I could get accustomed to it, as I think I could to *anything*, but it would be one of the most difficult things I ever undertook to master." She then told him that she had experienced an attack of bronchitis for four weeks but had not called him, that rebuilding Glen Echo kept her busy, and reminded him "it is *our house*." Hubbell's nieces informed an early biographer, Blanche Colton Williams, that it was Barton who deliberately sought to make it nearly impossible for Hubbell to form an attachment with another woman and that she did so through failing health and bouts of silence. Hubbell would later sign his letters to Mea, "Lovingly — the Triplet — Julian."⁶⁴

Cuba and the Beginning of the End

In 1897, Barton had mistakenly predicted that nothing would come of what she referred to as the "Cuba movement," but within a year she had assigned Stevè to head up a New York office called the Cuban Political Relief Committee.⁶⁵ The committee, ordered by President William McKinley, had asked the Red Cross to carry out the work of aiding the *reconcentrados*, rebels being held in Spanish concentration camps in Cuba. So it was that, in early 1898, war and suffering again took priority over personal matters, and Hubbell made his greatest sacrifice yet to Barton and the cause of the Red Cross. She asked him to join her and a small



Hubbell helped establish thirty orphanages in Cuba as part of Red Cross efforts during the Spanish-American War. In this 1899 photograph taken in Catalina, Hubbell appears in the white hat overseeing children's games, while Barton plays with the children inside the circle. (Library of Congress.)

team for the Cuban mission, and he agreed to go. For Barton, the mission required great diplomacy, not only in dealing with the U.S. government, but in handling the New York Committee, which was not composed of loyal followers.

For Hubbell, Cuba provided the opportunity for one of his strongest humanitarian endeavors. He helped establish thirty orphanages and funded them with a large part of an inheritance that came to him from his uncle. "The orphans needed it and I gave it," he told Stevé. Hubbell often donated his own money to the cause of the Red Cross or the general upkeep of the house in Glen Echo. He wrote years later, "When my own money was spent I frequently lived in humiliating privation and absolute need . . . without meals when needed to help her along in her great work of humanity."⁶⁶

In the newly discovered 1899 diary, found in the small metal trunk, Hubbell recorded ceaseless efforts to prepare for the Cuban mission. He also wrote of individual examples of the suffering of the Cuban people and the efforts the Red Cross made to ameliorate the situation.⁶⁷ Unfortunately, Hubbell would end up catching what he and others simply called "Cuban fever," an uncertain diagnosis. The illness lingered and made him unfit for service in the Galveston hurricane disaster of 1900. He needed recuperation and he took it—during the summer months of 1901 at Mea's house in Newport, Rhode Island.

Despite Barton and Hubbell's extraordinary efforts in Cuba, it was that relief mission that spelled the beginning of the end of Barton's reign as president of the



Working in his capacity as a doctor in Cuba, Hubbell tended to starving reconcentrado boys during the Spanish-American War. Hubbell caught what he called “Cuban fever” there, his only serious illness in twenty-four years of administering disaster and wartime relief. (Private Collection.)

Red Cross. Much of the money for the mission came from people who disapproved of Barton’s style, especially a woman named Mabel Boardman, who accused Barton of mismanagement of funds and called for a congressional inquiry in 1904. Although a congressional committee subsequently found Barton innocent of all charges, the damage to her reputation was severe. On April 28, 1904, Hubbell wrote in his diary “Could not sleep last night thinking of C.B. + her troubles.” In May 1904, Clara Barton officially resigned as president of the Red Cross. Immediately thereafter she and Hubbell traveled to Chicago, then on to Iowa, where his family treated her to a reception and a well-deserved rest. His diary for 1904, the last year he was officially Red Cross Chief Field Agent, ends with the words that seemingly drove him. “Those who bring sunshine to the lives of others cannot keep it from themselves.”⁶⁸

After several years in Glen Echo, Barton fell ill and in 1912 died of pneumonia. Tragically for Hubbell, he was not designated in her will, either for money or for individual assignment. Instead, his name was listed along with half-dozen others part of as a literary committee to oversee her biography.

One possible reason behind this omission is that Barton took Hubbell for granted in the last decade of her life and developed a dislike for a particular flaw in his character—a tendency toward procrastination. She also continued to harbor fears (or perhaps a paranoia) that, upon her death, he would immediately turn to another woman, this time, a Glen Echo neighbor. In 1916 her nephew Stevé and



In May 1904, Barton officially resigned as president of the American Red Cross under pressure from adversaries. At Glen Echo she sat proudly for a photograph, surrounded by a core of loyal supporters. Hubbell is shown behind the bench, third from left. (Clara Barton National Historic Site.)

Francis Atwater, her attorney, both wrote of the reasons why Barton left Hubbell out of her will and why they removed most of her papers from Glen Echo against his wishes. “Aunt Clara . . . practically made me promise that I would remove all of the records from Glen Echo to the American Antiquarian building in Worcester immediately after her death . . .” Stevé wrote to William Barton in a way that emphasized Hubbell’s alleged faults, “because she did not dare trust them in the keeping of Dr. Hubbell. She believed at that time that he would marry shortly after her death a widow lady who resided in Glen Echo and had two or more children. She believed that her personal letters and papers would fall into the hands of strangers like that. She knew the Doctor’s dilatory habits, his careless and slack methods and for that reason requested me to remove all of the papers at once.”⁶⁹

Hubbell’s diary for 1903–1904 indicates, however, that he was laboring as hard as ever, maintaining the Glen Echo house and others he had purchased in the town, in place of Red Cross work. He planted vegetables in the garden and repaired items throughout the house. But Barton’s standards were known to be extremely high. When in good health, she routinely awoke before sunrise and worked until midnight, expecting the same of those around her. Her eventual

Dr. Julian B. Hubbell in old age. After Barton's death, Hubbell worked tirelessly to establish a memorial at Glen Echo in Barton's honor. (Private Collection.)



dissatisfaction with virtually all of her subordinates is clear in her letters and diaries. Even Hubbell, despite his length of service and unparalleled devotion, was not exempt from Barton's critical eye.

Hubbell, for his part, had no less admiration and love for Barton when she was nearly ninety than he had when he had first met her in Dansville in her mid-fifties. He failed to recognize, or loved her despite, her weaknesses. After her death he remained convinced he could have added ten years to Barton's life had he been charged with her medical care. He blamed Stevé for causing her early death and for influencing the outcome of her will. Four years after her death, Hubbell recalled the circumstances around Barton's final illness in a letter to Stevé:

And alone I began my care of her as I had often done in the past. . . . Miss Barton with tearful voice asked to be taken back to Glen Echo. . . . Where she walked up the stairway unaided in her delight to be home again. Where she would have *continued* to improve as when I began sole charge of her in Oxford . . . had I not been superceded by having a doctor placed in directing control who did not know her sensitive nature and extreme sensitivity to Drugs. For it was drugs that killed her — *finally*.⁷⁰

Although Barton maintained that Hubbell would always be paid for his expenses and time, she never found the means to pay him a salary. "Our people who

work must be paid. I will consent to nothing else, no one but myself.”⁷¹ But Hubbell was only paid for his expenses, something he mentioned only after he was left out of Barton’s estate.⁷² (Scrupulous accounting records in his diaries support his life of frugality.⁷³) A stricken and incredulous Hubbell wrote Stevé. “If I could care for an invalid given up by physicians of all schools . . . that she had consulted and employed. If my care and protection enabled her to accomplish 30 years of the best work of her useful life — does it not show a service of *real value*?”⁷⁴

The only possession Barton left Hubbell was her home at Glen Echo. She had deeded it to him quietly in 1908 for fear that it would be taken away by Mabel Boardman and her cadre. There he lived alone after 1912 and grieved for Barton whom he visited spiritually through their longtime medium, a Mrs. Warneke. Hubbell became consumed with the idea of a memorial to Barton at the Glen Echo site—a memorial that would honor Barton, provide nursing training, and further the cause of preventive medicine, an idea well ahead of its time. Stevé replied by telling Hubbell to sell the many Glen Echo lots he had accumulated for the memorial and to let others honor her in the future.

Years of practicing spiritualism with Barton had dire consequences for Hubbell in 1914.⁷⁵ In that year an old Barton family friend, a Mrs. Hiron, appeared on Hubbell’s doorstep, claiming to have great wealth. Hubbell thought he had finally found the patron for the Barton memorial. The woman feigned a trance, pretended to speak in Barton’s voice, and directed Hubbell to turn over all his property so that she could help him construct the memorial. Hubbell fell for the hoax. The next day he went to the Rockville courthouse and signed over his Glen Echo property.⁷⁶

In the summer of 1920, Hubbell finally discerned the truth. He filed suit in September, claiming that he had been defrauded of his real and personal property by phony spiritualism. His 1921 diary is a record of his painstaking attempt to mount a case against Hiron.⁷⁷ After an arduous trial he regained his property in April 1925. Only four years later, on November 29, 1929, he died at the age of eighty-three. His obituary noted: “Dr. Hubbell served Clara Barton for thirty-two years as physician, nurse, Secretary and Field Agent; a veritable Red Cross missionary, for he served without compensation, ever faithful, modest and self-effacing. He assisted Clara Barton on nineteen fields of national calamity and war.”⁷⁸

Today a little-known historical figure, Julian Hubbell saved Clara Barton from an illness that had sapped the purpose from her life. He also deserves great credit for helping her through the overwhelming pressures of founding the American Red Cross. Despite difference in their ages, he was her closest companion. Privately, theirs was a dependent relationship, one with often turbulent emotions, while publicly they demonstrated that they held their humanitarian work above every other consideration. Having dispensed with the ritual of marriage,

Hubbell had a bedroom in Barton's house, accompanied her on travels, acted as her personal physician, and took care of all her basic needs in what appeared to outsiders as an unusually close, but professional, affiliation.

As their letters show, their need for one another ran very deep. Hubbell carried out fieldwork Barton was unable to do, and Barton more than fulfilled Hubbell's need for direction. Where he was selfless, she was consuming, and like a mortise and tenon, the resulting bond had great strength. Barton, who had an unexplained interest in younger men, found a personal savior when she was most ill and nurtured a loyal partner for the Red Cross. Hubbell's talents as organizer, architect, and engineer, his passion for medicine and his compassion for human suffering, coupled with his self-sacrificing nature, allowed him to devote himself to Clara Barton for thirty-two years. During these years he was the silent partner in the creation of the American Red Cross.

NOTES

The author would like to acknowledge the National Park Service, especially the staff and volunteers of the Clara Barton National Historic Site, and the relatives of Dr. Julian B. Hubbell for their continuing support and the encouragement of this research.

1. According to recent studies, many veterans of the Civil War began to suffer from stress and mental illness in the 1870s, a decade after the fighting ended. Barton may well have fallen into this category. See Eric T. Dean Jr., *Shook Over Hell: Post-Traumatic Stress, Vietnam, and the Civil War* (Cambridge: Harvard University Press, 1997).
2. The Julian B. Hubbell papers are housed at the Bentley Historical Library, University of Michigan. The papers contain thirty-three items dated 1881–1883, including letters written between Hubbell and Barton. The originals were lent to the library by Saidee Riccius, Miss Barton's great niece. Stevé Hubbell had assigned Riccius to go through Barton's papers after her death. Because Dr. Hubbell received his medical degree from the University of Michigan, the Barton family decided to give the papers that had been written by him to his alma mater.
3. Elizabeth Brown Pryor, *Clara Barton: Professional Angel* (Philadelphia: University of Pennsylvania Press, 1987), 361, 198.
4. Clara Barton diary, March 9, 14, 15, June 26, 1875, January 16, 1875, May 25, 1875, June 18, 20, January 26, 1875, February 4, 1875, March 28, 1875, April 9, 1875, private collection.
5. Clara Barton diary, March 1, 16, 25, 1874, April 27, 1874, February 15, 22, 1875, and May 1 1875.
6. *Ibid.*, March 18, 26, 29, April 8 and 17, 1874.
7. Letter on file at the Dansville Red Cross Chapter House #1, Dansville, New York. For information on Clara Barton and Dansville, see William Conklin, ed., *Clara Barton and Dansville: Compiled with the approval of Clara Barton Chapter No. 1, The American National Red Cross* (Dansville, New York: Privately Published, 1966).
8. From the Barton diary, June 18, 1875, "a word or look harms my nerves more than hours of real danger — I can withstand danger, but not petty worrying and annoyances — these will yet wear me out." And during 1875, when Barton was assisted in her home in New England Village, Massachusetts, by Miss Kupfer and Mrs. Parker, she endured constant bickering between the two. Barton wrote, "There is trouble below about towels and rags. There is

trouble about every thing they can make it of." Barton diary, August 18, 1875. "To think these two willful stubborn women will break me down lower than I ever had been. They seem to me to be utterly selfish and cruel." Barton diary, August 20, 1875. "Miss Kupfer sits in my room . . . but never speaks only to give a curt answer to a question. I cannot look in her face at all it is so angry and severe it makes me tremble so." Barton diary, August 5, 1875.

9. For "the Queen," see Red Cross diaries from 1893 to 1897 in the Clara Barton Papers, Library of Congress. For "Sissie," see Clara Barton to Stevé Barton, April 8, 1893, Clara Barton Papers, Library of Congress, also available at the Clara Barton National Historic Site, Container 10, Reel 8. The inclination to be surrounded by younger men does not negate the fact that Barton had a breadth of relationships, as one would expect of someone with vast experience. Indeed, she had several close women friends (Louise, the Grand Duchess of Baden, Frances Gage, and Enola Gardner, just to name a few) and a good number of trusted male friends and patrons of her own or an older generation (Charles Mason, General Benjamin Butler, and Senator and then Vice President, Henry Wilson). Barton also had several younger female companions who traveled and/or lived with her over the years to varying degrees of success (Antoinette Margot and Minna Kupfer). Most importantly, there was at least one man with whom she has been romantically linked, Colonel John J. Elwell, a married man with whom Barton spent most of her time while they were stationed together in the Sea Islands in 1863.

10. The divorce is mentioned in the deeds of the Hubbell Farms in Iowa. The land is still in possession of the Hubbell family today.

11. R. M. Corbit, ed., "History of the Hubbell Family," *The History of Jones County, Iowa*, Volume 2 (Chicago: S. J. Clarke, 1910), 153; Blanche Colton Williams, *Clara Barton: Daughter of Destiny* (Philadelphia: J. B. Lippincott Company, 1941), 228.

12. *Catalogue of Cornell College*, for years 1874–75 and 1875–76, Mount Vernon, Iowa (Cedar Rapids: Times Steam Printing House, 1875, 1876).

13. *The Dansville Advertiser*, August 3, 1876, as quoted in Conklin, ed., *Clara Barton and Dansville*, 119.

14. Conklin, ed., *Clara Barton and Dansville*, 373; "A Brief Memorandum for S. E. Barton, the same Being a Supplement to My Letter of December 26, 1913," Julian Hubbell to Stephen E. Barton, January 15, 1916, Barton Papers. Also available at the Clara Barton National Historic Site, Container 11, Reel 8.

15. Clara Barton to Julian Hubbell, undated letter (circa 1878–79), private collection.

16. Barton to Hubbell, April 25, 1879, private collection.

17. By 1879, Hubbell had introduced himself to Barton based on a connection between Barton and his mother. How Barton and Eliza Hubbell came to know each other has not yet been established.

18. Hubbell to Stephen E. Barton, December 10, 1913, Barton Papers. Also available at Clara Barton National Historic Site, Container 11, Reel 8.

19. Conklin, ed., *Clara Barton and Dansville*, 202.

20. Eliza Hubbell (unsigned) to Julian Hubbell, _____14, 1880, private collection.

21. Most of Hubbell's letters to Barton from Michigan between 1881–83 are part of the Julian B. Hubbell papers at the Bentley Historical Library, University of Michigan.

22. Hubbell to Barton January 15, 1881, Julian B. Hubbell papers, Bentley Historical Library, University of Michigan.

23. Barton to Hubbell, January 27, 1881, private collection.

24. Barton to Hubbell, February 1, 1881, private collection.

25. Hubbell to Barton, February 6, 1881, Hubbell Papers.

26. Barton to Hubbell, February 15, 1881, private collection.
27. Barton to Hubbell, February 15, 1881, private collection.
28. Barton to Hubbell, February 20, 1881, Hubbell to Barton, February 23, 1881, Hubbell Papers.
29. Hubbell to Barton, before March 1881, Hubbell Papers.
30. Hubbell to Barton, April 17, 1881, Hubbell Papers.
31. Barton to Hubbell, September 12, 1881, private collection; Hubbell to Barton, September 20, 1881, Hubbell Papers.
32. Barton to Hubbell, September 1881, private collection.
33. *Ibid.*; Barton to Hubbell, September 21, 1881, private collection.
34. Barton to Hubbell, September 21, 1881, private collection.
35. Barton to Hubbell, October 18, 1881, private collection.
36. *Ibid.*
37. Barton to Hubbell, October 21, 1881, private collection.
38. Barton to Hubbell, February 19, 1882, private collection; Hubbell to Stephen E. Barton, August 12, 1920, Sophia Smith Research Room, Smith College.
39. Barton to Hubbell, February 19, 1882, private collection.
40. *Ibid.*
41. Barton to Hubbell, March 29, 1882, private collection.
42. Barton to Hubbell, April 6, 1882, private collection.
43. *Ibid.*
44. Barton to Hubbell, April 20 and 29, 1882, private collection.
45. Barton to Hubbell, April 17, 1882, private collection.
46. Barton to Hubbell, April 18, 1882, private collection.
47. See Clara Barton, *The Red Cross in Peace and War* (American Historical Press, 1899), 178.
48. Barton to Hubbell, May 11, 1882, private collection.
49. Barton to Hubbell, May 14, 1882, private collection.
50. Barton wrote of this feeling many times, once in a letter to Stevé: "The Red Cross has been a heavy, hard old burden, that for some cause, I cannot understand, was laid upon me to carry." Clara Barton to Stephen E. Barton, January 30, 1901, Barton Papers.
51. Hubbell to Barton, October 4 and 15, 1882, Hubbell Papers.
52. Barton to President _____ Angel, Michigan University, February 22, 1883, Hubbell Papers.
53. Hubbell to Barton, February 23, 1883, Hubbell Papers.
54. Hubbell to Stephen E. Barton, August 12, 1920, Sophia Smith Research Room, Smith College.
55. Hubbell to Barton, March 28, 1883, Hubbell Papers; Barton to Hubbell, March 5, 1883, private collection.
56. Homeopathy is the opposite of allopathy (common Western medical practice) in that it sees the symptoms of a disease as the body's attempt to heal itself. Instead of suppressing symptoms, the homeopathic physician works under the principle of like shall be cured by like. In homeopathy the proper remedy for a disease is the substance that is capable of producing the symptoms of the disease in a healthy person. Homeopaths use extreme dilutions of those substances to combat the disease in sick people. During Barton's final illness of 1911–12, Hubbell was greatly discouraged because her family insisted she use an allopath, one Dr. Pratt, to treat her, instead of himself. He remained convinced that if he had been allowed to treat her, he could have prolonged her life.
57. Barton to Hubbell, May 6, 1883, private collection.

58. Barton to Hubbell, January 22, 1890, private collection.
59. Barton to Hubbell, May 31, 1893, private collection.
60. Barton to Hubbell, September 18, 1893, private collection.
61. Pryor, *Professional Angel*, 301.
62. *Ibid.*, 301.
63. Hubbell to Colonel _____ (Sears), copied October 17, 1921, private collection.
64. Barton to Hubbell, August 13, 1897, private collection; Pryor, *Professional Angel*, 284, and Williams, *Daughter of Destiny*, 319–20; Hubbell to MEA, from Cardenas Cuba, March 30, 1898, Barton Papers. Also available at Clara Barton National Historic Site, Container 32, Reel 26.
65. Barton to Hubbell, February 16, 1897, private collection.
66. Hubbell to Stephen Barton, *A Brief Memorandum*, 1916, Barton Papers.
67. Julian Hubbell diary, August 13, September 8 and 9, 1899, private collection.
68. Julian Hubbell diary, 1903–4, April 29, 1904, mid-June 1904, and inside back cover. Private collection.
69. Stephen Barton to Rev. William E. Barton, February 14, 1916, Barton Papers, Series I-74.
70. Hubbell to Stephen Barton, *A Brief Memorandum*, 1916, 9–10, Barton Papers.
71. Barton to Hubbell, April 29, 1882, private collection.
72. Hubbell to Stephen E. Barton, December 10, 1913, Barton Papers. Also available at the Clara Barton National Historic Site, Container 11, Reel 8. Also see Hubbell to Barton, *A Brief Memorandum*, Barton Papers.
73. Hubbell's diaries during Barton's lifetime exist for the years 1899 and 1903/04 and are part of the private collection.
74. Hubbell to Barton, *A Brief Memorandum*, 18.
75. Hubbell wrote, early on, of his interest in spiritual prophecies and of his disconnection from typical Victorian conventions. See Hubbell to Barton, January 28, 1881, private collection: "Mamie I have thought considerably of late about '1881' in connection with Mother Shipman's prophecy and the Great Pyramid conjectures, and I should not be at all surprised if some thing remarkable should happen in the time indicated — that some change should be brought about by which men shall be and live better — possibly some great physical change in the earth or universe. . . . Yet whether it does or does[not], I can think makes no difference with me only that 'her boy' would like . . . some premonition of the final settling up of terrestrial accounts so that he might make his Mamie a good visit first and be with her to go. . . . No, he does not want to leave this little sphere without seeing her *a good deal*." Also see Hubbell to Barton, February 6, 1881, where he writes, "He has observed humanity enough to know that she has reason from experience so to think, and also to know that promises are of little worth, even the marriage vow, so sacred, means little. Formality is not reality. The *material* is not the *real* — the unseen — the spirit is the real, and either shows itself, or hides itself in the seen, so that what we see *may*, or *may not be*." Julian B. Hubbell papers, Bentley Historical Library, University of Michigan.
76. Spiritualism, or communing with the dead through mediums, was not considered as unusual a practice in the late nineteenth and early twentieth centuries as it is today. The Spiritualist movement was born in 1848 and gathered momentum throughout the late nineteenth century. In 1893 the Foundation of National Spiritualists' Association of America was established. Several well-known scientists, jurors, and authors believed in Spiritualism based on observation of its practices in a scientific fashion. Intellectual thinkers such as Barton and Hubbell were typical of the type of people who adopted Spiritualism.
77. Hubbell Diary, 1921, private collection.

78. Obituary of Julian Hubbell, found and copied from a press book in the collection of W. H. Sears, former American Red Cross volunteer. Artifact on file at the Clara Barton National Historic Site.

Research Notes & Maryland Miscellany

Who Was First?: The Revolutionary-Era State Declarations of Rights of Virginia, Pennsylvania, Maryland, and Delaware

DAN FRIEDMAN

During the spring, summer, and fall of 1776, many of the American colonies undertook to draft state constitutions and declarations or bills of rights. Among the states that did so were Virginia, Pennsylvania, Maryland, and Delaware. Due to an incomplete historical record, there has been substantial confusion about the order in which the last two of these states—Maryland and Delaware—undertook to draft their respective declarations of rights. Over one hundred years ago, Professor Max Farrand suggested that the order of drafting was Virginia, Pennsylvania, Delaware, Maryland.¹

Others, using historical evidence that Farrand lacked, have challenged Farrand's conclusions and suggested that the correct order is Virginia, Pennsylvania, Maryland, Delaware.² Nevertheless, Farrand's conclusion continues to dominate the legal literature. It is the purpose of this article to conclusively resolve this controversy and to discuss some of the interpretative consequences that flow from that determination.³

In 1897, Professor Farrand published an article in the *American Historical Review* titled "The Delaware Bill of Rights of 1776." As part of analyzing the Delaware Bill of Rights, Professor Farrand attempted to determine the chronology of the adoption of various revolutionary-era state bills of rights. Farrand correctly understood that the Virginia Bill of Rights was drafted first, followed by that of Pennsylvania. As Professor Farrand noted, "Inasmuch as the Pennsylvania Bill of Rights was completed and adopted on August 16, and was printed in the *Pennsyl-*

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vania Gazette of August 21, it must have been in the hands of the members of the Delaware convention when they assembled in Newcastle one week later.”

“The question of priority between Delaware and Maryland is not so easily disposed of,” Professor Farrand wrote. Based on the fact that Delaware’s Declaration of Rights was approved exactly two months before the approval of Maryland’s Declaration of Rights, and because of obvious similarities between the two documents, Farrand concluded that Delaware’s was the model, and that Marylanders copied it: “it is . . . improbable that Delaware could have profited by Maryland’s Declaration of Rights.” Farrand went on to conclude that much of the Delaware draft was borrowed from the Pennsylvania bill of rights. Professor Farrand’s conclusions can be graphically represented as follows: Virginia → Pennsylvania → Delaware → Maryland.

Professor Farrand knew of the existence of an August 27, 1776, draft of the Maryland Declaration of Rights, but could not find a copy and believed it to have been lost. Without that draft, Farrand could only make an educated guess at the order in which the work was undertaken. As Professor Farrand stated, “[a] copy of the original draft presented by the committee on August 27 would at once settle the whole question.”⁴

If the August 27, 1776, Maryland draft was similar to the September 11, 1776, Delaware draft, Professor Farrand could have concluded that Delaware copied from Maryland. If, however, the August 27, 1776, Maryland draft was unlike the September 11, 1776, Delaware draft, then Delaware drafted first and Maryland’s September 17, 1776, second draft merely copied Delaware’s draft. Under such a scenario, the August 27, 1776, Maryland draft would have been a constitutional dead end, discarded when a better draft came along. It was this scenario that Professor Farrand adopted.

While Farrand did not have access to the August 27, 1776, draft of the Maryland Declaration of Rights, it is now available. Ironically, the only remaining original is the copy sent to Delaware framer John Dickinson and used as a model at the state convention. It is available at the Historical Society of Pennsylvania. The casual researcher may now view a photographic reproduction of the original August 27 draft online in the *Archives of Maryland*.⁵

The August 27, 1776, draft is quite similar to the Delaware draft, which makes clear that Professor Farrand’s hypothesis is wrong. It is necessary, then, to develop a new, revised, and more nuanced chronology to accommodate the new evidence.

A Revised Chronology

In a resolution drafted on May 10, 1776, and finalized on May 15, 1776, the Second Continental Congress, meeting in Philadelphia, recommended:

to the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs, have been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their Constituents in particular, and America in general.⁶

This resolution provided the impetus for constitution drafting throughout the Mid-Atlantic states and elsewhere.

Virginia did not even wait for the Continental Congress's invitation. Elections had been held that spring for a state convention, the fifth such "extra-legal" convention that had been called to govern Virginia in the absence of royal authority. When the convention met in Williamsburg on May 6, 1776, delegates were already considering the possibility of independence.⁷ In fact, forty-five convention delegates, who were also members of the Virginia House of Burgesses, assembled before the convention to declare the old legislature dead.⁸ The convention began its work with more mundane tasks, but on May 15, 1776—the same day that the Continental Congress adopted its resolution—the Virginia convention adopted a resolution calling on Virginia's delegates to the Continental Congress to declare the United Colonies free and independent states.⁹ Thomas Nelson, a delegate both to the Continental Congress and to the Virginia Convention, rode off directly to Philadelphia carrying an official copy of the resolution for the Continental Congress.¹⁰ The resolution itself did not declare Virginia's independence, but requested that the Continental Congress take that action. Nevertheless, "with its passage Virginia independence became a fact."¹¹

The Virginia convention immediately passed a companion resolution creating a committee to prepare a declaration of rights and "such a plan of government as will be most likely to maintain peace and order in this colony, and secure substantial and equal liberty to the people."¹² The size of the twenty-seven-member committee made it unwieldy.¹³ Frustrated with the committee's slow pace and "useless" committee members, George Mason wrote out his own draft declaration of rights with the assistance of Thomas Ludwell Lee.¹⁴ Professor Robert Rutland, the editor of Mason's papers, estimates that Mason wrote this draft between May 20 and May 24, 1776. The draft contained ten proposals Mason wrote and two others in Lee's handwriting.¹⁵ Mason submitted this draft to the committee, which added eight additional provisions. The committee draft was read aloud to the convention body on May 27, 1776, and immediately ordered printed.¹⁶ It is this draft that was circulated among the American colonies and abroad, and became a model for the American Declaration of Independence,¹⁷ the French Declaration of the Rights of Man,¹⁸ and the bills and declarations of rights of many of the American states.¹⁹

An excellent description of the May 27, 1776, draft of the Virginia Declaration

is from Professor Hugh Grigsby, president of the College of William & Mary. He compares the Virginia Declaration of Rights favorably to the English Petition of Right, the English Declaration of Rights, and the American Declaration of Independence, and concludes by saying:

The Virginia Declaration of Rights is, indeed, a remarkable production. As an intellectual effort, it possesses exalted merit. It is the quintessence of all the great principles and doctrines of freedom which had been wrought out by the people of England from the earliest times. To have written such a paper required the taste of a scholar, the wisdom of a statesman, and the purity of the patriot. The critical eye can detect in its sixteen sections the history of England in miniature. That it should have been thrown off by [George Mason,] a planter hastily summoned from his plough to fill a vacancy in the public councils; who was not a member of that profession the pursuits of which bring its votaries more directly than any other into contact with the principles of political liberty; and who performed his work so thoroughly that it has neither received nor required any alteration or amendment for more than three-fourths of a century, fills the mind with admiration and grandeur.²⁰

Copies of the committee's May 27, 1776, draft of the Virginia Declaration of Rights quickly spread up and down the eastern seaboard. Handwritten copies of the committee draft were mailed north.²¹ Copies were published in the *Virginia Gazette* on June 1, the *Pennsylvania Evening Post* on June 6, the *Pennsylvania Ledger* on June 8, the *Pennsylvania Gazette* on June 12, and the *Maryland Gazette* on June 13.²²

The Virginia convention, sitting as a committee of the whole, considered the May 27, 1776, committee draft, made a few corrections and alterations, and on June 12, 1776, adopted the first American declaration of rights.²³

From Virginia to Pennsylvania

The Pennsylvania Assembly, in keeping with the wishes of its conservative majority, had instructed its delegates to the Continental Congress to oppose independence. The pro-independence Pennsylvania Whig Party hoped to win a majority in a new assembly at elections scheduled for May 1, 1776, in part to reverse those instructions. The revolutionaries suffered a setback and a Tory majority was elected. The new, even more conservative assembly was scheduled to convene on May 20. In the interim, however, on May 15, 1776, the Continental Congress adopted the resolution, quoted above, instructing the colonies to assume independent governmental powers. Historians have suggested that Congress's resolution was primarily directed at Pennsylvania and its new assembly. By the time the assembly

convened and a quorum had assembled, events had overtaken the assembly and it was powerless to stop the revolutionary tide.

Knowing that the conservative assembly was unlikely to declare for independence, or permit its congressional delegation to do so, an extra-legal "provincial conference" was called and representatives from the various counties met in Philadelphia on June 18. The first course of business for the provincial conference was to approve the May 15 resolution of the Continental Congress. The provincial conference then turned to its main business, planning for a state constitutional convention. On June 23, the provincial conference issued its report calling for a state constitutional convention to begin on July 15, 1776, with elections one week earlier, on July 8, 1776.²⁴

The Pennsylvania constitutional convention convened in Philadelphia on July 15, 1776.²⁵ The Pennsylvania Declaration of Rights was adopted on August 16 and printed in the *Pennsylvania Gazette* on August 21, 1776.²⁶ That version, as printed in the *Pennsylvania Gazette* on August 21, was circulated throughout Delaware.²⁷ John Adams, in reviewing the Pennsylvania Declaration of Rights, (incorrectly) concluded that it was "taken almost verbatim" from the May 27 draft of the Virginia declaration. Pennsylvania finished drafting its constitution on September 5, 1776, and, after a public comment period, adopted its constitution on September 28, 1776, more than a month before Maryland.²⁸ The 1776 Pennsylvania Constitution was the most radical and most democratic of the Revolutionary War-era constitutions.²⁹

Maryland

Beginning in 1774, and continuing throughout the revolutionary period, Maryland was governed by convention.³⁰ The eighth of these conventions authorized the call for elections to a ninth convention for the "express purpose" of drafting a state constitution.³¹ The convention assembled in Annapolis on August 14, 1776. On Saturday, August 17, 1776, the convention elected a drafting committee to prepare "a declaration and charter of rights, and a plan of government agreeable to such rights as will bes maintain peace and good order and most effecually secure happiness and liberty to the people of the state."³² The drafting committee was comprised of respected Marylanders, Charles Carroll, Barrister, Charles Carroll of Carrollton, Samuel Chase, Robert Goldsborough, William Paca, George Plater, and Matthew Tilghman.³³ On August 27, 1776, the drafting committee circulated an initial draft of the Declaration of Rights to the convention body. A draft of the "frame of government" was completed on September 10, 1776. A second draft of the Declaration of Rights was produced on September 17, 1776, which was circulated throughout Maryland for public comment between September 17, 1776, and October 2, 1776. The convention body adopted the Declaration of Rights in final form on November 3, 1776, and the new constitution, one week later, on November 8.³⁴

Event	Virginia	Pennsylvania	Maryland	Delaware
Convention called to draft a state constitution	None	June 23	June 28	July 27
Conventions assemble	May 6	July 15	Aug. 14	Aug. 27
Draft of declaration of rights completed	June 12	Aug. 16	Aug. 27	Sept. 11
Draft of "frame of government" completed	June 24	Sept. 5	Sept. 10	Sept. 17
Public comment period held	None	Sept. 5–28	Sept. 17–Oct. 2	None
Adoption and effective date	June 12	Sept. 28	Nov. 8	Sept. 20

Delaware

In Delaware, immediately after independence, Assembly Speaker Caesar Rodney called a special session of the Assembly beginning on July 22, 1776.³⁵ The Assembly approved a call for a convention "to ordain and declare the future Form of Government of this State."³⁶ The convention assembled in New Castle on August 27, 1776. A drafting committee was assigned the task of drafting the Declaration of Rights. The drafting committee consisted of convention president George Read and delegates Richard Bassett, Jacob Moore, Charles Ridgely, John Evans, Alexander Porter, James Sykes, John Jones, James Rench, and William Polk. Delegate Thomas McKean was added to the committee on September 7. The convention approved the proposed Declaration of Rights on September 11, 1776. A "frame of government" was drafted by September 17, 1776, and adopted three days later, on September 20, 1776.³⁷ For convenience, the relevant dates are summarized in the chart above.

Virginia's declaration of rights was the first drafted, and though many of its provisions were derivative of English law including the Magna Carta and the English Bill of Rights, it must be considered the original American bill of rights. The Maryland and Pennsylvania conventions both had access to the May 27 draft of the Virginia Declaration of Rights. Both the Maryland and Pennsylvania conventions made use of the May 27 Virginia draft as a starting point for their own labors. It is unclear now whether the Delaware convention had access to the Virginia draft. In any event, if the Delaware framers had the Virginia draft, they did not use it as a model for their own efforts.

After Virginia, Pennsylvania's constitutional convention drafted next, com-

pleting its declaration of rights on July 15. The text of Pennsylvania's declaration shows its reliance on Virginia's May 27 draft. Although the Pennsylvania Declaration of Rights was available to both the Maryland and Delaware constitutional conventions, both states largely ignored the Pennsylvania draft. That the Maryland drafters ignored Pennsylvania's draft may be consistent with the horror with which the Maryland delegates regarded Pennsylvania's radical form of government.³⁸

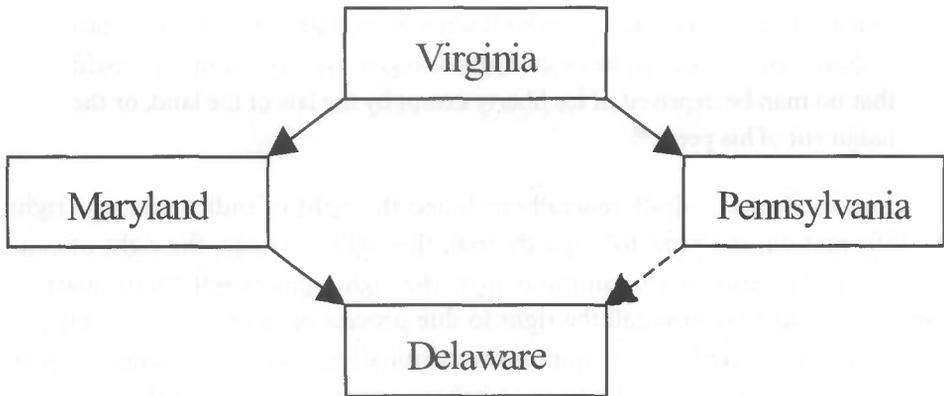
A careful review of the proceedings, however, reveals that Maryland's delegates completed their first draft of a declaration of rights on August 27, 1776, the same day that the Delaware Convention convened. Given that Maryland's August 27, 1776, draft was, contrary to Professor Farrand's theory, substantially similar to the version ultimately adopted,³⁹ it is clear that Maryland's version preceded the Delaware version.

That Maryland's drafting preceded that of Delaware is not enough, by itself, to establish that Maryland was the model for Delaware. We also know that the Delaware drafters had access to drafts of the Maryland Declaration of Rights, mailed to them by friends in Annapolis and Philadelphia.⁴⁰ A review of the respective texts suggests that Maryland's declaration and that of Delaware are too similar for anyone to conclude that it was mere coincidence.⁴¹ The final evidence is the testimony of George Read, who served both as presiding officer of the Delaware convention and as chairman of the committee assigned to draft the declaration of rights. In a letter to Caesar Rodney, the speaker of the Delaware Assembly, and a revolutionary leader who had failed to be elected as a convention delegate, Read wrote:

I had to give you some satisfactory account of the business we have been more particularly engaged in to wit the Declaration of Rights and the plan of Government—as to the first it has been completed some days past but there is nothing particularly in it—I did not think it an object of much curiosity, it is made out of the Pensilvania [sic] & Maryland Draughts.⁴²

The combined evidence of the time frame, the availability of the Maryland drafts, the textual similarities, and George Read's statement is strong. We can state with certainty that the Maryland Declaration of Rights not only preceded Delaware's document but also served as its model.⁴³

Professor Farrand noted three provisions that bear textual similarities between the Pennsylvania and the Delaware bills of rights (Delaware #2 and Pennsylvania #2, Delaware #4 and Pennsylvania #3, and Delaware #10 and Pennsylvania #8). The data supports Professor Farrand on this point. Farrand went further, however, and suggested, without substantiation, that "[n]ot merely the three articles . . . but also nine others, making practically the whole of the Pennsylvania declaration, are included in substance in Delaware's bill of rights."⁴⁴ Farrand needs



this to be true to support his conclusion that the text and ideas contained within the respective bills of rights passed from Virginia to Pennsylvania to Delaware to Maryland. When the fallacy of this hypothesis is exposed, and it is clear that the Delaware drafters had access to both the Maryland and Pennsylvania drafts, it is remarkable how few similarities there are between the Pennsylvania and Delaware drafts.⁴⁵

Therefore, the proper understanding of the relationships between these four bills of rights may be diagrammed as above (with the less important Pennsylvania-to-Delaware relationship denoted by a dotted line). Armed with this new chronology, it is possible to better understand the historical underpinnings for declaration of rights provisions that continue to control life in the Mid-Atlantic states.⁴⁶

One provision in particular provides an interesting glimpse into the manner in which both the language and rights evolved and were changed as the provision was adopted into the state declarations of rights. Most state constitutions of this period—and all four of those discussed here—included rights for those accused of crimes. These “were primarily devices to protect existing constitutional arrangements as Americans saw them, rather than a program of law reform.” As Professor Eben Moglen puts it, “Pennsylvanians did not think they had one more right than Virginians—both groups thought they enjoyed all the rights of Englishmen and no more.”⁴⁷ It is useful and interesting, however, to observe how the catalog of rights developed from state to state.

As drafted by George Mason, and included in the May 27, 1776, draft of the Virginia declaration of rights, Article 10 provided:

That in all capital or criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers or witnesses, to call for evidence in his favour, and to a speedy trial by an

impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty, nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land, or the judgment of his peers.⁴⁸

Thus, the Virginia draft generally included the right of indictment, the right of confrontation, the right to a speedy trial, the right of venue, the right of confrontation, the right to a unanimous jury, the right against self-incrimination, and the right that we now call the right to due process of law ("law of the land"). Mason's draft omitted several important criminal rights that we generally take for granted, the "rights to the writ of habeas corpus, counsel, and grand jury proceedings, as well as the freedom from double jeopardy, attainders, and ex post facto laws"⁴⁹

The Pennsylvania Declaration of Rights also included a catalog of protections for criminal defendants, and all though there is substantial overlap with the Virginia draft in the rights protected, the provisions are not identical in rights protection or language.

That in all prosecutions for criminal offences, a man hath a right to be heard by himself and his council, to demand the cause and nature of his accusation, to be confronted with the witnesses, to call for evidence in his favour, and a speedy public trial, by an impartial jury of the country, without the unanimous consent of which jury he cannot be found guilty; nor can he be compelled to give evidence against himself; nor can any man be justly deprived of his liberty except by the laws of the land or the judgment of his peers.⁵⁰

While it may be conclusively determined that the Pennsylvania drafters had access to George Mason's draft of the Virginia provision it does not appear that the Pennsylvanians used it as a model.

By contrast, it appears that the Maryland drafters took a close look at Mason's draft, and using it as a model, set out to make improvements. There are four rights that the Maryland drafters left intact, both textually and conceptually. These are the right to confrontation of accusers and witnesses, the right to a speedy trial, the right to an impartial jury, and the requirement of a unanimous jury verdict to convict. After those four rights, however, the Maryland drafters made changes.

The first right of the criminally accused, as Mason wrote it, was the "right to demand the cause and nature of his accusation." Leonard Levy has criticized this formulation as an "inadequate statement," in that it only permitted the accused to demand the charges. It does not provide the positive right to know the charges.⁵¹ The Maryland drafters remedied that fault by changing the right to a positive

“right to be informed of the accusation against him.” The Maryland drafters also added a right to counsel. While Pennsylvania’s draft also included a right to counsel, it was phrased differently, and was probably not a model for the Maryland drafters.

The right “to call for evidence in his favour” in the Virginia draft was changed to a right “to examine evidence on oath in his favour” in the Maryland version.⁵² The inclusion of the right to call witnesses under oath in the Maryland drafts did not expand the right as it existed, but clarified an existing right. At early common law, defendants had been prevented from calling witnesses. Later, they were permitted to call witnesses, but the witnesses were not sworn. Finally, by the end of the seventeenth century, defendants were permitted to call witnesses to testify under oath. In England, that right was eventually protected by statute.⁵³

After these changes, the Maryland criminal rights provision, Article 19, of the August 27, 1776 draft, provided:

That in all capital or criminal prosecutions, every man hath a right to be informed of the accusation against him, to be allowed counsel, to be confronted with the accusers, or witnesses, to examine evidence on oath in his favour, and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.⁵⁴

Article 10 of the May 27, 1776, draft of the Virginia Declaration of Rights is, by its terms, limited to the criminal context.⁵⁵ The rights guaranteed in that article are not available in a civil trial. To avoid this limitation, the Maryland drafters carefully split out from the Maryland criminal rights article, article 19, three rights that they wished to be maintained in both the criminal *and* civil contexts.⁵⁶ First, the provision preserving the right against self-incrimination was made into a stand-alone provision in the Maryland draft of August 27, 1776. It provided, “[t]hat no man in the courts of common law ought to be compelled to give evidence against himself.”⁵⁷

Second, Maryland split out and made substantial changes in that portion of the Virginia article preserving the right of the criminally accused to be tried by a jury “of his vicinage.”⁵⁸ Vicinage, at common law, referred “not [to] the place of trial, but the place from which the jury must be summoned.” The Maryland drafters separated their provision from the criminal rights context, suggesting that the provision could apply to both criminal and civil proceedings. The Maryland drafters also transformed the provision from one guaranteeing “vicinage,” (a local jury) to one protecting “venue,” (a local trial). The Maryland change from vicinage to venue reflected current theory at that time. The right to a jury from the vicinage was declining in importance as a consequence of the rise of impartial juries relying on evidence rather than personal knowledge. Simultaneously, the

right of venue—"trial of facts where they arise"—was of increasing importance. England had passed numerous statutes requiring that persons accused of various crimes committed in the American colonies would be tried in England. The colonists complained that such laws violated their historical constitutional venue rights.⁵⁹ In this context, it appears likely that the Maryland provision was intended to prevent criminal defendants from being transported for trial in a distant land, but was not intended to limit the General Assembly's power to determine venue for civil and criminal matters within the state.⁶⁰ Thus the Maryland draft provided "[t]hat the trial of facts where they arise Is one of the greatest securities of the lives, liberties, and estate of the people."⁶¹

Finally, the Virginia drafters had included a clause providing that "that no man be deprived of his liberty except by the law of the land, or the judgment of his peers." This language is derived from chapter 39 of the English Magna Carta. As Professor A. E. Dick Howard, an expert on both the Magna Carta and the Virginia Constitution describes it:

The phrase ["law of the land"], held by Coke to be synonymous with "due process of law," is the essential assurance that the law is above rulers and ruled alike, that power, wherever vested, can have no capricious exercise, and that those minimal safeguards which are expected from a system founded on justice will be furnished.⁶²

The Virginia provision, however, provides a more limited right than that provided by chapter 39 of the Magna Carta.⁶³ It is more limited first, because it applies only in a criminal context, and second, because only liberty interests are protected. The Maryland drafters, as they did with the self-incrimination clause and the vicinage clause, removed the right to "the law of the land" from the criminal article, and thus made it applicable in both criminal and civil contexts.⁶⁴ They also broadened the right, from only protecting liberty interests as it did in the Virginia draft, to protecting interests in life, liberty, and property:

That no freeman ought to be taken, or imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or, in any manner destroyed, or deprived of his life, liberty, or property, but by the lawful judgment of his peers, or by the law of the land.⁶⁵

The drafting of Article 21 of the August 27, 1776, draft of the Maryland Declaration of Rights was a remarkable endeavor. The Maryland drafters apparently recognized that the final clause of Virginia's Article 10 was derived from the Magna Carta and that it was too limited for Maryland's needs as it protected only liberty rights and only in the criminal context. They also found that the text of

Article 39 of the Magna Carta “reinstated” the traditional language of that document, edited to ensure that the protections were extended to interests in life, liberty, and property.⁶⁶

The Delaware drafters, working quickly, copied most of the language adopted by the Maryland delegates. Historian Leonard Levy has criticized the Virginia draft for the redundancy of the opening clause, “in all capital or criminal prosecutions”⁶⁷ Although the Marylanders retained this repetitive language, the Delaware writers corrected this drafting error, making it clear that these rights attach “in all Prosecutions for criminal Offences.” The Delaware drafters may have relied on the Pennsylvania model for this change, which similarly provided that “[i]n all prosecutions of criminal offences”⁶⁸

It is noteworthy, however, that the Delaware drafters did not follow either Virginia’s or Maryland’s lead with respect to the “law of the land” provision. Rather than leaving it annexed only to the criminal rights provision, as George Mason had done in the Virginia draft, or as a separate provision applying in both civil and criminal contexts as the Maryland drafters had done, Delaware simply omitted it. Thus, the three relevant provisions in the Delaware draft read:

THAT in all Prosecutions for criminal Offences, every Man hath a Right to be informed of the Accusation against him, to be allowed Counsel, to be confronted with the Accusers or Witnesses, to examine Evidence on Oath in his Favour, and to a speedy Trial by an impartial Jury, without whose unanimous Consent he ought not to be found Guilty.⁶⁹

THAT no Man in the Courts of common Law ought to be compelled to give Evidence against himself.⁷⁰

THAT the Trial by Jury of Facts, where they arise is one of the greatest Securities of the Lives, Liberties, and Estate of the People.⁷¹

In this way, once the correct order of drafting is understood, it becomes possible to trace the evolution of the provisions of the various state declarations of rights.

NOTES

This article is adapted from a forthcoming article by the author scheduled to appear in *Rutgers Law Journal*, 33:4, entitled, “Tracing the Lineage: Textual and Conceptual Similarities in the Revolutionary-Era State Declarations of Rights of Virginia, Maryland, and Delaware.”

1. Max Farrand, “The Delaware Bill of Rights of 1776,” *American Historical Review*, 3 (1897): 641.

2. For example see Robert Allen Rutland, *The Birth of the Bill of Rights, 1776–1791* (Chapel

Hill: University of North Carolina Press, 1955): 48 (“Some confusion in the chronology of events in both states [Delaware and Maryland] has been cleared away only since the 1930s with the publication of relevant documents. It is now plain that although the Delaware Declaration of Rights reached the general public before the Maryland declaration, both stemmed from the work of the Annapolis convention.”); Bernard Schwartz, *The Bill of Rights: A Documentary History*, 2 vols. (New York, 1971) 1:276–79; H. H. Walker Lewis, *The Maryland Constitution of 1776* (Baltimore, 1976): 45; Edward Dumbauld, “State Precedents for the Bill of Rights,” *Journal of Public Law*, 7 (1958): 329–31 (identifying Maryland’s 1776 Declaration of Rights as a predecessor to Delaware’s 1776 Declaration of Rights); H. Clay Reed, “The Delaware Constitution of 1776,” *Delaware Notes*, 15 (1930): 23 n.63 (“Farrand’s final conclusions [that Delaware preceded Maryland] must be revised in the light of the additional material now available on the subject. At his time of writing, Farrand could not locate the Maryland first [August 27, 1776] draft, but copies of it may now be seen on the Maryland State Archives website. In 1977, the MSA reproduced the existing records of the 1776 Maryland State constitutional convention. *The Decisive Blow Is Struck: A Facsimile Edition of the Proceedings of the Constitutional Convention of 1776 and the First Maryland Constitution* (Annapolis, 1977). As part of an excellent introduction, Maryland State Archivist Edward C. Papenfuse intended to set the record straight. Unfortunately, the printer apparently omitted the relevant section:

[Delaware’s John] Dickinson liked Maryland’s draft so well that he presented it to Delaware’s Constitutional Convention which adopted portions of it wholesale into their own Declaration of Rights and Constitution before Maryland finished its deliberations, an irony missed by at least one prominent historian.

Compare, <http://www.mdarchives.state.md.us/msa> (Edward C. Papenfuse’s revised version of this introduction, now serving as a description of the Maryland constitutional convention of 1776) (visited July 1, 2002), with *The Decisive Blow Is Struck: A Facsimile Edition of the Proceedings of the Constitutional Convention of 1776 and the First Maryland Constitution* (Annapolis, 1977). Papenfuse is referring to Professor Farrand, but there have been several other prominent historians, lawyers, and judges to make this mistake. Because of a printer’s error, the public was deprived of a definitive statement.

3. Gregory A. Mark, “The Vestigial Constitution: The History and Significance of the Right to Petition,” *Fordham Law Review*, 66 (1998): 2200 n.210; William C. Koch Jr., “Reopening Tennessee’s Open Courts Clause: A Historical Reconsideration of Article I, Section 17 of the Tennessee Constitution,” *University of Memphis Law Review*, 27 (1997): 434 n.592; Jonathan M. Hoffman, “By the Course of the Law: The Origins of the Open Courts Clause of State Constitutions,” *Oregon Law Review*, 74 (1995), 1307–8 n.183; Eben Moglen, “Taking the Fifth: Reconsidering the Origins of the Constitutional Privilege Against Self-Incrimination,” *Michigan Law Review*, 92 (1994): 1119–20 n.123; Tom W. Bell, “The Third Amendment: Forgotten But Not Gone,” *William & Mary Bill of Rights Journal*, 2 (1993): 127 n.96. Professor Bell has subsequently modified this stating “Recent scholarship convincingly argues that the Delaware Declaration of Rights of 1776 in fact postdates the first published draft of Maryland’s, and that former thus copied the latter,” see <http://www.tomwbell.com/writings/3rd.html>. Donald S. Lutz, “The State Constitutional Pedigree of the U.S. Bill of Rights,” *Publius*, 22 (1992): 21. Professor William F. Swindler, a compiler of American constitutions, throws up his hands when confronted with the question:

The constitutional conventions of Delaware, Maryland, and Pennsylvania were

in session at virtually the same time, and considering the relative proximity of the sites at Annapolis, New Castle and Philadelphia and the intimacy of personal relationships among delegates from these states to the First or Second Continental Congresses, it is not surprising to find many of the provisions—particularly in the bills of rights—identical in language. It is difficult to determine which borrowed from which.

See William F. Swindler, ed., *Sources and Documents of United States Constitutions*, 5 vols. (New York, 1973), 2:204. But see also Marsha L. Baum & Christian G. Fritz, "American Constitution Making: The Neglected State Constitutional Sources," *Hastings Law Quarterly*, 27 (2000): 208 (correctly identifying the "unpublished first draft of Maryland's declaration" as a source for Delaware's 1776 declaration of rights).

4. Farrand, "The Delaware Bill of Rights of 1776," 647–48.

5. See <http://www.mdarchives.state.md.us/msa> (visited April 6, 2002). A printed version of the August 27, 1776, draft may also be found in Dan Friedman, "The History, Development, and Interpretation of the Maryland Declaration of Rights," *Temple Law Review*, 71 (1998): 637, but not in electronic versions of that article found on Lexis and Westlaw.

6. Worthington C. Ford, ed., *Journals of the Continental Congress, 1774–1789*, 34 vols. (Washington, D.C., 1904–1937), 4:342 (May 10, 1776). See also, *ibid.*, 4:357–58 (May 15, 1776) (adopting a preamble to the resolution). Willi Paul Adams, *The First American Constitutions: Republican Ideology and the Making of State Constitutions in the Revolutionary Era* (Chapel Hill: University of North Carolina Press, 1980): 61.

7. Rutland, *The Birth of the Bill of Rights*, 30.

8. John E. Selby, *The Revolution in Virginia, 1775–1783* (Williamsburg, Va.: Colonial Williamsburg Foundation, 1988): 94–95; Thad W. Tate, "The Social Contract in America, 1774–1787, Revolutionary Theory as a Conservative Instrument," *William & Mary Quarterly*, 3rd series, 22 (1965): 378.

9. Apparently, Edmund Pendleton, the convention president, was responsible for the final draft of the resolve, reconciling drafts submitted by Meriwether "Fiddlehead" Smith, Patrick Henry, Thomas Nelson, and Pendleton, himself. Selby, *The Revolution in Virginia*, 95–96 (crediting Henry, Smith, and Pendleton); Emory G. Evans, *Thomas Nelson of Yorktown: Revolutionary Virginian* (Williamsburg, Va.: Colonial Williamsburg Foundation, 1975): 57 (crediting Nelson, Henry, Smith, and Pendleton); Rutland, *The Birth of the Bill of Rights*, 48 (crediting Pendleton, Nelson, and Henry).

10. Selby, *The Revolution in Virginia*, 97; Emory G. Evans, *Thomas Nelson of Yorktown*, 58. Selby points out that Nelson was delayed on his way to Philadelphia, and that the Pennsylvania Evening Post printed Virginia's resolution before Nelson arrived.

11. John E. Selby, *The Revolution in Virginia*, 97.

12. A. E. Dick Howard, *Commentaries on the Constitution of Virginia*, 2 vols. (Charlottesville: University Press of Virginia, 1971) 1:7, 34. Howard explains the relationship between these three events (the call for independence, the call to draft a declaration of rights, and the call to draft a constitution), stating that "in the minds of those who drafted and passed the resolutions, to sever relations with one government implied the necessity to provide for another. Moreover, to create a new government required two acts: provision for the structure and powers of government and a declaration of those rights which should be beyond the reach of government."

13. Robert Allen Rutland, ed., *The Papers of George Mason, 1725–1792*, 3 vols. (Chapel Hill: University of North Carolina Press, 1970), 1:274. In another account, Rutland appears to

contradict himself, calling it a "committee of twenty-eight delegates. George Mason and James Madison are among four additional members appointed before the week ended." Rutland, *The Birth of the Bill of Rights*, 32. Yet another tally of the committee membership is given by Professor Hugh Blair Grigsby, who identifies twenty-seven original committee members by name, and reports that seven more members were added "as they arrived in the city." Hugh Blair Grigsby, *The Virginia Convention of 1776* (repr.; New York: Da Capo Press, 1969): 19.

14. Rutland, ed., *The Papers of George Mason*, 1:274–75, 279.

15. Professor Rutland (*The Papers of George Mason*, Vol. 1) is silent as to whether the provisions of the original draft written in Lee's handwriting were his own words or merely Lee's recording Mason's words.

16. *Ibid.*, 1:275.

17. Pauline Maier, *American Scripture: Making the Declaration of Independence*, (New York: Alfred A. Knopf, 1997): 125–28; Julian P. Boyd, *The Declaration of Independence* (Washington, D.C.: Library of Congress, 1943), 12–16. But see Edward Dumbauld, *The Declaration of Independence and What It Means Today* (Norman: University of Oklahoma Press, 1950), 21.

18. A. E. Dick Howard, "The Values of Federalism," *New European Law Review*, 1 (1993): 143; Howard, "How Ideas Travel: The Bill of Rights at Home and Abroad," *New York State Bar Journal*, 63 (1991): 8; Albert P. Blaustein, "Our Most Important Export: The Influence of the United States Constitution Abroad," *Connecticut Journal of International Law*, 3 (1987): 16; Gilbert Chinard, *La Déclaration des droits de l'homme et du citoyen et ses antécédents américains* (Washington, D.C., 1945); Lucy M. Gidney, *L'Influence des Etats Unis d'Amérique sur Brissot, Concorcet et Mme. Roland* (Paris, 1930); Gilbert Chinard, "Notes on the French Translations of the 'Forms of Government or Constitutions of the Several United States' 1778 and 1783," *Yearbook of the American Philosophical Society* (1943): 88–106; Durand Echeverria, "French Publication of the Declaration of Independence and the American Constitutions, 1776–1783," *Papers of the Bibliographical Society of America*, 47 (1953): 313.

19. Selby, *The Revolution in Virginia*, 103 (identifying the Virginia Declaration of Rights as the basis for those adopted in Pennsylvania, Massachusetts, Delaware, Maryland, Vermont, and New Hampshire); G. Alan Tarr, "The Ohio Constitution of 1802: An Introduction," *Occasional Papers of the Center for State Constitutional Studies*, available online at <http://www.camlaw.rutgers.edu/statecon/papers.html> (visited July 1, 2002) (identifying the Virginia Declaration of Rights as the basis for the Ohio Declaration of Rights of 1802); R. Carter Pittman, "Book Review of Sources of Our Liberties," *Virginia Magazine of History & Biography*, 68 (1960): 109; Rutland, *The Birth of the Bill of Rights*, 48 ("[I]t is hardly remarkable that in the bills of rights adopted in Pennsylvania, Delaware, Maryland, North Carolina, Vermont, Massachusetts, and New Hampshire, there are provisions that carry either the import or the verbatim language of articles in the Virginia declaration.")

20. Hugh Blair Grigsby, *The Virginia Convention of 1776* (repr.; New York: Da Capo Press, 1969), 163–64.

21. Selby, *The Revolution in Virginia*, 102; Rutland, ed., *The Papers of George Mason, 1725–1792*, 1:275 (reporting that on or about June 1, 1776 Thomas Ludwell Lee mailed a copy to his brother Richard Henry Lee); Rutland, *The Birth of the Bill of Rights, 1776–1791*, 44 ("the Virginia Declaration of Rights was broadcast throughout the colonies in private letters and public print").

22. These publication dates are given in Rutland, ed., *The Papers of George Mason, 1725–1792*, 1:276 and in R. Carter Pittman, "Jasper Yeates's Notes on the Pennsylvania Ratifying Convention, 1787," *William & Mary Quarterly* 3rd series, 22 (1965): 304 n.12. Many of the reprints erroneously identified the draft as a May 24 draft, rather than May 27. Rutland, ed., *Papers of George Mason, 1725–1792*, 1:276.

Other state constitutions were reprinted in the newspapers as well. For example, the New Jersey Constitution of 1776 was published in the *Maryland Gazette* on July 25 and August 1, 1776. Thornton Anderson, "Maryland's Property Qualifications for Office: A Reinterpretation of the Constitutional Convention of 1776," *Maryland Historical Magazine*, 73 (1978): 327–29. Anderson determined that New Jersey's Constitution served as a model for Maryland's property qualification provisions. Because the New Jersey Constitution did not contain a declaration or bill of rights, and only a few, limited rights provisions at all, it could not have served as a basis for Maryland's declaration of rights. See Robert F. Williams, *The New Jersey State Constitution: A Reference Guide* (New York: Greenwood Press, 1990): 2; Charles R. Erdman, Jr., *The New Jersey Constitution of 1776* (Princeton: Princeton University Press, 1929): 46–48.

23. Rutland, ed., *Papers of George Mason, 1725–1792*, 1:275, 287. It is unclear why the May 27 draft was circulated so widely, while the June 12 version adopted by the convention received so little notoriety. As a result of this historical anomaly, however, any changes made between May 27 and June 12 only applied in Virginia, and did not serve to influence the course of events in succeeding constitutional conventions in America and abroad. Howard, *Commentaries on the Constitution of Virginia*, 1:39. John Selby notes that only North Carolina seems to have relied on the final (June 12) version, as opposed to the committee draft of May 27. Selby, *The Revolution in Virginia*, 103.

In *Rice v. State*, Chief Judge Robert C. Murphy of the Court of Appeals of Maryland noted a similarity between the Maryland Declaration of Rights of 1776 and the June 12, 1776, official version of the Virginia Declaration of Rights. *Rice v. State*, 311 Md. 116, 127 n.8 (1987) ("It is notable that the Maryland Declaration of Rights [of 1776] resembled in many respects the Virginia Declaration of Rights, approved by the Virginia Convention on June 12, 1776."). The *Rice* case involved an interpretation of the jury unanimity clause of Article 19 of the Maryland Declaration of Rights. The analogous portion of the Virginia Declaration of Rights, Article 8, was unchanged between May 27 and June 12, so Chief Judge Murphy would not have had the opportunity to notice the even greater similarity between the May 27 Virginia draft and the Maryland version.

24. J. Paul Selsam, *The Pennsylvania Constitution of 1776* (Philadelphia: University of Pennsylvania Press, 1936), 92, 102, 114n. 76, 129–35, 136–41, 137.

25. *Ibid.*, 147–53; John N. Schaeffer, "Public Consideration of the 1776 Pennsylvania Constitution," *Pennsylvania Magazine of History & Biography*, 98 (1974): 417; Robert F. Williams, "The State Constitutions of the Founding Decade: Pennsylvania's Radical 1776 Constitution and Its Influences on American Constitutionalism," *Temple Law Review*, 62 (1989): 541.

26. Farrand, "The Delaware Bill of Rights of 1776," 647.

27. Rutland, *The Birth of the Bill of Rights, 1776–1791*, 41–51.

28. Selsam, *The Pennsylvania Constitution of 1776*, 147–53; John N. Schaeffer, "Public Consideration of the 1776 Pennsylvania Constitution," *Pennsylvania Magazine of History & Biography*, 98 (1974): 417; Robert F. Williams, "The State Constitutions of the Founding Decade: Pennsylvania's Radical 1776 Constitution and Its Influences on American Constitutionalism," *Temple Law Review*, 62 (1989): 541.

29. Williams, "The State Constitutions of the Founding Decade," 541.

30. See generally, John Archer Silver, *The Provisional Government of Maryland (1774–1777)*, Johns Hopkins University Studies in Historical and Political Science, 10 (Baltimore, 1895).

31. *Proceedings of the Convention of the Province of Maryland, Held at the City of Annapolis, in 1774, 1775 & 1776* (Annapolis, 1836): 184–89. The Maryland State Archives has made available on the Internet thousands of pages of original Maryland legal and constitutional documents. Among these are the proceedings of the Maryland Constitutional Convention of 1776. See

<http://www.mdarchives.state.md.us/megafile/msa/speccol/sc2900/sc2908/000001/000078/html.index.html>.

32. *Ibid.*, 222; Hall of Records Commission, *The Decisive Blow is Struck: A Facsimile Edition of the Proceedings of the Constitutional Convention of 1776 and the First Maryland Constitution* (Annapolis: Hall of Records Commission, 1977) (proceedings of August 17, 1776).
33. Credit for drafting the August 27, 1776 draft has been given alternatively to Charles Carroll, Barrister, see Rutland, *The Birth of the Bill of Rights, 1776–1791*, 51 (although pointing out that “[c]onvincing evidence on the point is lacking”); H. H. Walker Lewis, *The Maryland Constitution of 1776* (Baltimore, 1976), 29 n.54 (1976) (citing George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (Baltimore, 1876), 146 and Kate Mason Rowland, *The Life of Charles Carroll of Carrollton, 1737–1832*, 2 vols. (New York, 1908), 2:190, and Charles Carroll of Carrollton and Samuel Chase, see John C Rainbolt, “A Note on the Maryland Declaration of Rights and Constitution of 1776,” *Maryland Historical Magazine*, 66 (1971): 420 (citing Philip A. Crowl, *Maryland During and After the Revolution: A Political and Economic Study* (Baltimore, 1943): 34–35).
34. Hall of Records Commission, *The Decisive Blow is Struck*, November 4 and 11, 1776; *Proceedings of The Convention of the Province of Maryland, Held at the City of Annapolis, in 1774, 1775 & 1776* 310, 349 (Annapolis, 1836); also available online at <http://www.mdarchives.state.md.us/megafile/msa> (visited July 1, 2002).
35. George Herbert Ryden, *Letters to and from Caesar Rodney, 1756–1784* (Philadelphia, 1933), 94–95; H. Clay Reed, “The Delaware Constitution of 1776,” *Delaware Notes*, sixth series, 15 (1930): 15.
36. Richard Lynch Mumford, “Constitutional Development in the State of Delaware, 1776–1897” (unpublished Ph.D. dissertation, Univ. of Delaware, 1968), 51.
37. *Proceedings of the Convention of the Delaware State Held at NewCastle on Tuesday the Twenty-Seventh of August, 1776* (Wilimington: The Star Publishing Co., 1927): 26–35.
38. See Robert F. Williams, “The State Constitutions of the Founding Decade: Pennsylvania’s Radical 1776 Constitution and Its Influences on American Constitutionalism,” *Temple Law Review*, 62 (1989): 567.
39. For a comparison of the August 27, September 17, and November 4, 1776, drafts of the Maryland Declaration of Rights, see Friedman, “History, Development, and Interpretation of the Maryland Declaration of Rights,” 647–76.
40. In his introduction to *The Decisive Blow Is Struck*, Dr. Edward Papenfuse wrote that the drafts of the Maryland constitution:

were sent by Samuel Chase to John Dickinson on September 29, 1776, for his comments and criticisms, accompanied by an urgent appeal that Dickinson come in person to Annapolis to advise the Convention on the merits and defects of the drafts. Chase’s request was echoed by Thomas Stone, who as a member of Congress was particularly conscious of the radical constitution recently adopted by Pennsylvania. In the hope that Dickinson could help prevent a similar occurrence in Maryland, Stone wrote:

It is my earnest wish that you should spend a few days at Annapolis while the government of Maryland is under consideration, being satisfied you would render essential most service to that state by the assistance you are able to give in forming a constitution upon permanent first principles & I think it not improbably that a well-formed government in a state so near as Maryland might lend to restore the affairs of this [Pennsylvania] from that anarchy and confusion which must attend any attempt to execute their present no plan of polity.

All indications are that Dickinson did not come to Annapolis, but he did send Chase his remarks on the draft of the “Bill of Rights and Frame of Government.”

41. This was Professor Farrand’s conclusion as well. “On reading these articles [of the Delaware Declaration of Rights of 1776] one is impressed with their likeness to the corresponding articles of the Pennsylvania and Maryland bills of rights, and the similarity is so striking as to merit a more careful consideration.” Max Farrand, “The Delaware Bill of Rights of 1776,” *American Historical Review*, 3 (1897): 641.
42. Letter from George Read to Caesar Rodney, September 17, 1776, in George Herbert Ryden, *Letters to and from Caesar Rodney, 1756–1784* (Philadelphia, 1933), 119. President Read did not mention the Virginia “draught.”
43. It is, in fact, Delaware’s access to Maryland’s August 27, 1776, draft that made their remarkably quick drafting possible. Marsha L. Baum & Christian G. Fritz, “American Constitution Making: The Neglected State Constitutional Sources,” *Hastings Law Quarterly*, 27 (2000): 208.
44. Max Farrand, “The Delaware Bill of Rights of 1776,” *American Historical Review*, 3 (1897): 647 n.1.
45. Rutland, *The Birth of the Bill of Rights, 1776–1791*, 53–54.
46. Virginia’s current declaration of rights is remarkably similar to its May 27, 1776, draft, and many of the observations about that draft continue to apply to the current Virginia Declaration of Rights. Maryland’s current declaration of rights continues to bear the clear marks of its dissent from the May 27, 1776, Virginia draft, although over time these similarities have been reduced. Delaware’s declaration of rights was completely rewritten in 1792, excising most of the provisions that were derived from the Virginia and Maryland drafts. Compare Del. Const., Decl. of Rts., and Fundamental Rules (1776) with Del. Const., Preamble and Art. I (1792). Copies of each may be found in William F. Swindler, ed., *Sources and Documents of United States Constitutions*, 5 vols. (Dobbs Ferry, N.Y.: Oceana Publications, 1973), 2:197–206. An analysis of the differences between the Delaware Declarations of Rights and Constitutions of 1776 and 1792 may be found in Mumford, “Constitutional Development in the State of Delaware, 1776–1897,” 136–39.
47. Eben Moglen, “Taking the Fifth: Reconsidering the Origins of the Constitutional Privilege Against Self-Incrimination,” *Michigan Law Review*, 92 (1994): 11–19.
48. Va. Const., Decl. of Rts., art. 10 (May 27, 1776 draft).
49. Howard, *Commentaries on the Constitution of Virginia*, 1:95. The evidence supports Professor Howard on this point except with respect to ex post facto laws, which were prohibited by Va. Const., Decl. of Rts., art. 9 (May 27, 1776 draft).
50. Penn. Const., Decl. of Rts., Art. IX (September 28, 1776).
51. Leonard Levy, *Origins of the Fifth Amendment; the Right Against Self-Incrimination* (New York, 1968) 408.
52. Apparently, Leonard Levy is critical of Mason for failing to include a provision guaranteeing compulsory process for criminal defendants. Leonard Levy, *Origins of the Fifth Amendment; the Right Against Self-Incrimination* (New York, 1968), 408 (“Compulsory process should have been guaranteed”). Levy’s criticism appears erroneous, as compulsory process seems to be included within this clause.
53. Howard, *Commentaries on the Constitution of Virginia*, 1:104 n.50–52.
54. Md. Const., Decl. of Rts., art. 19 (August 27, 1776 draft).
55. Leonard Levy saves his harshest criticism of Mason’s work for the clause on self-incrimination. (*Origins of the Fifth Amendment: The Right Against Self-Incrimination*, 406–7.) Levy criticizes Mason’s draft for narrowing the then existing right against self-incrimination, and

for failing to “extend the right against self-incrimination to witnesses, as well as parties, in civil as well as criminal cases.” *Ibid.*, 407, 409–10.

56. Article 16 of the August 27, 1776, draft of the Maryland declaration of rights was probably modified for the same purpose. Because the guarantee of trial by jury would otherwise have been provided only in the criminal context, an extra clause was added into article 16 preserving the right to trial by jury: “[t]hat the inhabitants of Maryland are entitled to the common law of England, and to the trial by Jury” Md. Const., Decl. of Rts., art. 16 (August 27, 1776 draft). There is no indication in article 16 that the right is intended for the civil context, but any other interpretation would render it redundant to the jury trial right found in Md. Const., Decl. of Rts., art. 19 (August 27, 1776 draft). Of course, the subsequent addition of Art. 23 to the Maryland Declaration of Rights makes the redundancy problem unavoidable. The history of the creation of Art. 23 is traced in Friedman, “History, Development, and Interpretation of the Maryland Declaration of Rights,” 697 n.356.

57. Md. Const., Decl. of Rts., art. 20 (August 27, 1776 draft). Thus, at least in Maryland, the defect Leonard Levy found in limiting the right against self-incrimination to the criminal context was rectified. The Maryland constitutional convention of 1864 amended the provision to limit it to the criminal context. Subsequent drafts of this provision weakened the right against self-incrimination, first by permitting self-incrimination “in such cases as have usually been practiced in this state,” then by permitting the General Assembly to further erode the right legislatively. See Friedman, “History, Development, and Interpretation,” 659; R. Carter Pittman, “The Colonial and Constitutional History of the Privilege Against Self-Incrimination in America,” *Virginia Law Review*, 21 (1935): 787–88.

58. Va. Const., Decl. of Rts., art. 10 (May 27, 1776 draft).

59. William Wirt Blume, “The Place of Trial of Criminal Causes,” *Michigan Law Review*, 43 (1944): 60.

60. *Stewart v. State*, 21 Md. App. 346, 319 A.2d 621 (1974); *Chadderton v. State*, 54 Md. App. 86, 456 A.2d 1313 (1983).

61. Md. Const., Decl. of Rts., art. 18 (August 27, 1776 draft).

62. Howard, *Commentaries on the Constitution of Virginia*, 1:120–21 (internal citations omitted).

63. “No freeman shall be taken or imprisoned or disseised or exiled or in any way destroyed, nor will we go upon him nor send upon him, except by the lawful judgment of his peers, or by the law of the land.” William S. McKechnie, *Magna Carta: A Commentary on the Great Charter of King John*, 2d ed. (Glasgow, 1914), 375.

64. The theory that Article 21 of the Maryland Declaration of Rights (1776) is an edited and expanded version of the final clause of Article 10 of the May 27, 1776, draft of the Virginia Declaration of Rights, can only be substantiated by the evidence that I have brought to bear. That is the Maryland drafters apparently removed several clauses from Article 10 to make them applicable in the civil as well as the criminal context, and by the numbering sequence in the Maryland draft. The Virginia provision (Art. 10) was broken into four Maryland provisions that are found in sequence in the Maryland draft: venue at Art. 18, rights of the accused at Art. 19, right against self-incrimination at Art. 20, and this “law of the land” provision at Art. 21.

65. Md. Const., Decl. of Rts., art. 21 (August 27, 1776, draft).

66. This can most easily be demonstrated by comparing Chapter 39 of the Magna Carta (1215) with Article 21 of the Maryland draft:

That [n]o freeman ~~shall~~ ought to be taken or imprisoned or disseized of his

freehold, liberties or privileges, or outlawed, or exiled or in any way manner destroyed, nor will we go upon him nor send upon him, or deprived of his life, liberty or property except but by the lawful judgment of his peers, or by the law of the land.

It is particularly noteworthy that the Maryland framers, looking at the mandatory term “shall” in the Magna Carta, deleted that word in favor of the exhortatory phrase “ought to.” The decision to do so may have represented a stylistic choice to make this provision match the use of the phrase “ought to” in other articles. It might also have been a preference for an exhortatory provision, as opposed to our modern preference for justiciable language. Many accounts have criticized early state constitutions for employing the exhortatory “ought” rather than the mandatory “shall.” See Leonard Levy, *Emergence of a Free Press* (New York: Oxford University Press, 1985): 184 (calling use of “ought” in early state constitutions “flabby” and “nambypamby”); J. Paul Selsam, *The Pennsylvania Constitution of 1776*, 203–4; Bernard Schwartz, *The Great Rights of Mankind: A History of the American Bill of Rights* (New York: Oxford University Press, 1977): 90–91. But see G. Alan Tarr, *Understanding State Constitutions* (Princeton, N.J.: Princeton University Press, 1998), 77–79 and n.71; Jeremy Elkins, “Declarations of Rights,” *University of Chicago Law School Roundtable*, 3 (1996): 243, 307–8.

67. Leonard Levy, *Origins of the Fifth Amendment*, 406–7 (calling attention to the “superfluousness” of the words, “capital or” in the Virginia draft). See also Dan Friedman, “History, Development, and Interpretation of the Maryland Declaration of Rights,” 696 n.334 (indicating that “[t]here is no historical record to explain why ‘capital’ crimes would have been treated differently.”).

68. Pa. Const., Decl. of Rts., Art. 9 (1776).

69. Del. Const., Decl. of Rts., Art. 14 (September 11, 1776 draft).

70. Del. Const., Decl. of Rts., Art. 15 (September 11, 1776 draft).

71. Del. Const., Decl. of Rts., Art. 13 (September 11, 1776 draft).

Book Reviews

John Marshall and the Heroic Age of the Supreme Court. By Kent Newmyer. (Baton Rouge: Louisiana State University Press, 2001. 485 pages. Essay on the Sources, index, list of cases. Cloth, \$39.95.)

Albert Beveridge's massive, sweeping, and highly partisan biography of John Marshall, in four volumes, appeared just after the first world war. Despite the enormous changes in our society which have taken place since 1919, and the accumulation of a mountain of fresh scholarship in constitutional history, another full-scale biography of Marshall did not appear until Leonard Baker's work of 1974. This was followed just five years ago by Jean Edward Smith's *Definer of a Nation*, with its superb account of Marshall's life. Neither of these books, however, aspired to total mastery of the legal as well as the historical environment surrounding the career of the third chief justice of the United States. Now, in the new century, we have a work that truly replaces Beveridge, a biography for the ages.

Kent Newmyer's work is not always an easy "go" for the general reader, despite his best intentions. References occasionally turn up, without immediate explanation, to such things as *United States v. Peters* (1809), the *Antelope* case, or "the third resolution of Madison's 1799 [Virginia] report" (338). But this is almost inevitable in a work of genuine scholarship and deep learning. It will not take long for any reader to be caught up in the author's grand theme and his evocative writing style.

Since Newmyer is in fact as well as in approach a professor of law and history, he knows that the enduring qualities of John Marshall's judicial statesmanship (and those not so enduring) are best understood by placing them in their historical context. Marshall, he notes, was preeminently a "Young Man of the Revolution" (1), and he skillfully shows us how the heritage of that period, or at least part of its heritage, shaped the values of the future chief justice.

From his experience as a soldier, Marshall imbibed his staunch nationalism, his "habit of considering America as my country, and congress as my government" (27). His service in the Virginia legislature in the 1780s further convinced him there was no substitute for "a more efficient and better organized general government" (28). For the first time, Marshall nourished doubts that the people, however sovereign, could "*actually govern*" (24).

Equally as important, Marshall's background as the son and heir of one of Virginia's most successful land speculators, and his close involvement as a lawyer with the state's rising commercial interests, as opposed to its planter-slaveholder interests, "conditioned him to see the wisdom of a constitution that would facilitate Virginia's involvement in the [nation's] growing national and international markets" (35). It shaped too his lifelong "preference for John Locke" (36).

The great Supreme Court decisions then, were a bold, consistent application of this world-view. *Marbury v. Madison* established the right of judicial review of acts of Congress, though not the judicial supremacy practiced so vigorously by the Rehnquist court, since Marshall never said, in the *Marbury* decision at least, that the Supreme Court's interpretations were "binding on Congress" (162). He was more emphatic, however, in asserting national judicial supremacy over those state legislatures he had so come to distrust, affirming in *Cohens v. Virginia* the right of appeal from state courts to federal courts, where federal questions were concerned.

In his great contract clause decisions—*Fletcher v. Peck* and the Dartmouth College case—and in the seminal opinion defining the commerce clause, *Gibbons v. Ogden*, Marshall wrote into law his positive vision of the America he sought to realize. The former laid down "the basic doctrine of American constitutional law," the Lockean assumption that law should protect private property in the name of liberty" (211–12). *Gibbons* sought to realize "National Union" through a "National Market," an "economic e pluribus Unum" in the phrase Marshall borrowed from Daniel Webster (291, 302).

If this all seems foreordained, Professor Newmyer reminds us of the giant obstacle Marshall faced to his assertion of judicial power, in the form of that supreme hater of the judiciary and its chief justice, Thomas Jefferson. The book recounts brilliantly the strategic maneuvers, and retreats, Marshall executed to survive and even to prosper in the Jeffersonian era.

Thus, the chief justice wisely swallowed the repeal of the Judiciary Act of 1801 that had created separate circuit courts of appeal and prevailed upon his Supreme Court colleagues to resume the circuit riding that they so despised. Newmyer agrees that *Marbury v. Madison* was a political move as well as a great judicial landmark since it kept the justices from ordering Jefferson, who had already "insulted" them by eschewing all cognizance of the case, to do what everyone knew he would refuse to do—give William Marbury his job as a justice of the peace in Washington. But the author also shows us how the culminating crisis of this era, the treason trial of Aaron Burr in 1807, is an almost pure juxtaposition of the rule of law against an executive's persistent and often lawless campaign to send a man to the gallows. Indeed, "Paradoxical [as] it may seem . . . Marshall probably could not have unified the Court or enhanced the powers of the chief justice, without Jefferson's unrelenting enmity" (209).

Jefferson's successors, James Madison and James Monroe, were relatively cordial toward the court, Newmyer points out, certainly not menacing. But by the 1820s, Chief Justice Marshall had become a pariah in his own state, as theories of state sovereignty increasingly held sway. Finally, the triumph of Jacksonian democracy in the 1830s and the appointment of states' rights-oriented (though not Calhounian) justices made the chief justice feel he had been a failure. "I yield slowly and reluctantly to the conviction that our constitution cannot last," he

wrote to Joseph Story in 1832 (386). Hence, “Marshall died thinking he had become marginalized,” and the great irony of the career of America’s most influential jurist is that “judging by the course of antebellum history and law, in some ways he had” (466).

One can quarrel mildly, perhaps, with some of Professor Newmyer’s conclusions. Jefferson’s actions in *Marbury*, for example, may not have been as blatantly lawless as suggested. He espoused, after all, in 1801 a constitutional theory not wholly aberrant for its time, which held that each branch of the federal government possessed sole authority over its internal workings. But *John Marshall and the Heroic Age of the Supreme Court* is unquestionably a landmark achievement in intellectual biography.

MARK WHITMAN
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Democratic Dissent and the Cultural Fictions of Antebellum America. By Stephen John Hartnett. (Chicago: University of Illinois Press, 2002. 248 pages. Notes, index. Cloth, \$34.95.)

In *Democratic Dissent and the Cultural Fictions of Antebellum America*, Stephen John Hartnett examines the ways in which antebellum Americans “negotiated” their paths to modernity. To cope with the paradoxes of modernity, antebellum Americans constructed and implemented “cultural fictions” to organize and explain their ever-changing world. Cultural fictions are, in Hartnett’s words, “coping mechanisms” used by Americans to explain their changing society (2). Hartnett’s work is a valuable analysis of social, political, and cultural contexts that shaped American society before the Civil War.

Hartnett uses four case studies to highlight the pervasiveness of cultural fictions. In the first case study, Hartnett examines the rhetorical language used in anti-slavery campaigns in the North. Some anti-slavery advocates, such as Robert Rantoul Jr. of Massachusetts, shaped their language to assent to and defend the founding principles of America. Others, such as Solomon Northup and Frederick Douglass, employed dissenting language that seemed radical and anti-union if slavery remained present in the United States. Hartnett then discusses the pervasiveness of proslavery cultural fictions, which relied upon and reinforced a spreading sense of white supremacy and fear of “wronged” slaves. Both anti- and pro-slavery political rhetoric, Hartnett argues, were framed in larger debates concerning modernity, capitalism, and democracy. Both sides confronted the changes produced by modernity.

Hartnett continues his analysis of cultural fictions by examining slavery, economics, and democracy rhetoric as America’s “empire” spread across the continent. Issues of race, slavery, abolition, and capitalism spilled into growing con-

cerns and excitement over the expansion of America's western empire. Hartnett uses the Texas annexation controversy to analyze the political persuasions of cultural fictions regarding modernity, capitalism, race, and slavery. Hartnett's fourth case study discusses the rhetoric of self-representation and self-identity, in which Americans such as Walt Whitman and Ralph Waldo Emerson confronted the effects of modern, mass-production capitalism on individual character and participation in democracy. Hartnett is interested in how self-representation and self-identity were changed by modern technology and prominent issues surrounding American society in the antebellum period.

In essence, Hartnett's subjects are words and pictures, things people use to create, explain, represent, and/or manipulate the world around them. The rise of market capitalism and industrialization, the seeming explosiveness of democracy in the Age of Jackson, and the increasing conflict between abolitionists and pro-slavery advocates—all of these issues gave Americans reasons to find foundations or create "coping mechanisms" for their society. Americans used cultural fictions to control, manipulate, or make sense of the seemingly rapid change occurring in the spheres of capitalism, slavery, democracy, and modernity.

A professor of communication by trade, Hartnett uses his expertise in language and communication to dissect the rhetoric and speech of antebellum Americans and expose their motives, thoughts, and fears. Hartnett's interdisciplinary approach includes linguistic, rhetorical, social, political, and historical perspectives that broaden and enrich the reader's perspective of antebellum America and the paradoxes it faced. The variety of sources he used include political pamphlets, speeches, newspapers, sermons, engravings, and poetry. Combined, these pieces of antebellum American culture give the reader a broad sense of the pervasiveness of "cultural fictions."

Although Hartnett does not specifically address Maryland or its history, he does examine issues central to the state's history before the Civil War. Slavery and abolition were certainly important issues in Maryland, as well as democracy, representation, and modernity. Readers should use Hartnett's broader conclusions in a closer study of Maryland's particular situation prior to the Civil War. Readers may also be curious to use Hartnett's argument to analyze other historical circumstances in American history. "Cultural fictions" certainly pervade all historical time periods and events. Symbols such as "freedom," "rights," the Constitution, and the "Founding Fathers," for example, are all symbols of America, and yet they evolve and change with the currents of history and the immediate needs of society. Who creates these "fictions?" How, and why? Hartnett's theses can and should be profitably applied to any historical timeframe and/or context, and more case studies can be used to illustrate Hartnett's arguments.

In short, Hartnett provides a stunning analysis of antebellum America and the political debates that shaped the course of American history. Hartnett skill-

fully uses a wide array of sources, provides insightful analysis, and employs an interdisciplinary approach to the subject, all of which make *Democratic Dissent* an important addition to the historiography on antebellum America. The book is well-organized, well-written, and well worth reading. Hartnett does indeed succeed in “portray[ing] antebellum American in all of its stunning beauty and shocking barbarity”(1).

JEREMY BOGGS

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Ladies and Gentlemen on Display: Planter Society at the Virginia Springs, 1790–1860. By Charlene M. Boyer Lewis. The American South Series. (Charlottesville: University Press of Virginia, 2001. 303 pages. Illustrations, notes, bibliography, index. Cloth \$55.00; paper \$19.50.)

In *Ladies and Gentlemen on Display*, Charlene M. Boyer Lewis takes us on a journey to the Virginia Springs, the summer resort of the southern elite. Between 1790 and 1860, the mineral springs along the present-day border of Virginia and West Virginia drew hundreds, even thousands, of visitors each summer. Ladies and gentlemen from across the South, including Maryland, traveled to these resorts in search of health, refined society, and an escape from everyday life. The society that these ladies and gentlemen created at the Springs, Lewis argues, represented an important part of the lives of the southern gentry and played a key role in the formation of an elite regional identity in the years prior to the Civil War.

Lewis begins by setting “The Scene” with vivid descriptions of the natural and built environment at the Virginia Springs. Grand architecture, elegant gardens, and breathtaking vistas created a landscape that “epitomized refinement and grace” (15). This landscape cloaked much of what was unrefined about the Virginia Springs, notably the business and labor of operating the resorts. The living conditions also rarely lived up to the landscape’s promises of refinement. Complaints about bad food, poor service, and scarce or crude accommodations abounded, yet visitors found that they exercised little control over these aspects of their stay at the springs. Owners and managers decided who would be admitted and where they would stay, while slaves, free black laborers, and lower-class whites controlled the quality of food and service.

Much of the Virginia Springs’ appeal lay in southerners’ faith in their healing powers. Visitors suffering from almost every malady imaginable congregated at the Springs believing that drinking or bathing in the waters would restore their health. Healthy visitors drank the often foul-tasting waters to preserve their health and indulged in warm baths to restore their spirits. While at the Springs, both ladies and gentlemen constantly monitored the state of their health, discussing their bodies and the sensual experiences of the baths in surprising detail. In this

sense, the Springs environment allowed the southern elite to escape the strict rules of gentility, which advised against anything that called attention to the body. The landscape provided a refreshing change of scene as well as an escape from the heat and diseases of southern summers, while the social world of the Virginia Springs offered an antidote to “the mental and physical malaise of the plantation” (67).

Indeed, Springs society had an appeal all its own. Young men and women came to learn the rules of planter society and to find a suitable spouse among the belles and beaux. Men “combined business and pleasure,” forging political and economic ties with their fellow gentlemen while at the same time reuniting with friends and family (128). Women enjoyed greater freedom of movement at the Springs and seized the opportunity to rekindle ties to distant family and friends. The friendships formed and renewed at the Springs continued to flourish in correspondence after the season was over, forming the basis for same-sex communities that stretched across the region.

The Virginia Springs embodied the qualities the southern elite valued most about themselves: gentility, exclusivity, affability, and order. Although northerners, evangelicals, professional gamblers, free blacks, and slaves formed their own communities at the Springs, the southern gentry dominated the tone and character of Springs society. Freed from the cares of the plantation, they devoted all their attention to amusing themselves and their companions. In this more relaxed environment, men and women interacted easily and freely—more freely, Lewis notes, than historians of planter class gender relations have acknowledged. But the social environment at the Springs also “intensified the power of southern society’s rules, rituals, expectations, and boundaries” (101). Relationships between the sexes were less formal than at home, but particularly in Springs courtships, men and women stuck closely to their prescribed roles as cavaliers and ladies. Even as the Springs environment exaggerated the harmony of genteel society, it also highlighted the competition for status among the elite and underscored the importance of appearance and behavior to winning that competition. In short, the Springs brought out the best and worst of genteel southern society.

Lewis makes a compelling argument for the importance of the Virginia Springs to the creation of southern elite identity, and she reminds historians that elite culture was created in places other than the plantations and towns. Finally, Lewis gracefully combines her own clear writing with the voices of her subjects, making this book a delight to read.

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John E. Owens: Nineteenth-Century American Actor and Manager. By Thomas A. Bogar. (Jefferson, North Carolina and London; McFarland and Company, 2002. 216 pages. Photographs, appendices, index. Paper, \$35.)

John E. Owens was a nineteenth-century comic actor, as well as a theatre manager and owner. He had his greatest successes in Baltimore, which was his artistic home and the root of his financial well-being. Until late in his career he led the kind of life most people who attempt to make a living in any art form can only dream of. His family, surely against the moral and social standards of the day (as well as common sense) supported his earliest inclinations and efforts as a performer. Because he exhibited some ability—but mostly because of his winning personality—he was taken under the tutelage of one of the most respected and beloved comic actors of the period, an actor whom Owens' popularity soon surpassed. His talents as a low comic actor, his ability to portray gruff lower-class men with barely hidden hearts of gold, characters of little education but tremendous common sense, endeared him to audiences wherever he performed. He became America's best known and most popular comedian and achieved a level of success that, combined with innate business abilities, allowed him to enjoy a second career as a theatre owner and manager while still delighting theatre-goers whenever he took the stage. As presented in Bogar's biography, Owens, always gregarious and generous, was well-liked and admired by all who knew him, imitated by those who acted with him, idolized by his wife, cheered by audiences for nearly forty years, and reviewed enthusiastically if not always reverently by the critics. His success allowed him to purchase several theatres (though never more than one at a time) as well as a large estate north of Baltimore in then Towsontown. At one point he was thought to be the wealthiest actor in America. Only the loss of much of that fortune due to the purchase of a possibly salted gold mine and an earthquake in Charleston, South Carolina that destroyed a theatre in which he had heavily invested, marred what was by nearly any standard a happy, creative, and adventurous life.

As Bogar progresses in his fine job chronicling Owens' various theatrical performances and managerial endeavors, he uses the biography to develop two salient points about theatrical performance in the nineteenth century. The first concerns the intimate ties between commerce and art, how the former influenced and perhaps corrupted the latter. Like several other performers of his time, Owens developed a hugely popular character that brought such financial rewards that he could not abandon it, nor would the audience readily accept him in any other part. For Owens, his character was the stage "Yankee," described in the preceding paragraph. Owens didn't invent this persona, but he refined it to the point that he was considered without peer. Audiences flocked to see Owens as "Solon Shingle," his most famous "Yankee" character, whom he portrayed over two thousand times,

or to laugh at and applaud variations under different names in other plays similarly designed to showcase his “Yankee” abilities. And although Bogar documents nearly 450 different roles in five thousand performances for Owens, the actor never drifted very far from “Solon,”—more pathos here, more intelligence there, but the essence remained the same. When Owens did attempt a different kind of role, the audience was not particularly pleased—they knew what they liked, and essentially would pay to see only that. Many other actors were seduced by the money to be made playing the same part or same type of part over and over, Edwin Forrest, and Owens’ principle rival, Joseph Jefferson, among them. The irony is that as their careers wound down, these actors were criticized by audiences and critics for doing “the same old thing.” Acting’s monetary success and the artistic emptiness is a mantra of nineteenth-century American theatre.

Bogar’s second point concerns the demand for and development of a new acting style, one that was less focused on histrionics and playing to the audience and more attuned to naturalistic detail. This seems something of a paradox. Audiences seemed to be only interested in what they knew. But actors such as Owens, as they developed their skills, focused on incorporating observations of real life into meticulously detailed performances whose attention to verisimilitude was in fact a kind of spectacle. “Seeming real” became an artistic standard, pioneered by Owens and other actors of the first rank. Audiences laughed with, and at, him but were also awed by his authenticity—a quality that became a hallmark of his best performances. Bogar effectively makes a case against the generally held assumption that nineteenth-century American acting was all bluster and thunder, overripe and melodramatic. Naturalistic acting is generally (and sometimes academically) assumed to have been developed in Europe and Russia in refined “art” theatres and was then imported to the United States in the early twentieth century, when it created a sensation. What Bogar shows is that Owens and others were doing some of the same things in American commercial venues much earlier, and were praised for it by audiences and critics alike. Bogar does a real service by showing that a naturalistic acting style was native to this country, and that its eventual adoption and acceptance was evolutionary, not revolutionary.

This brings me to my criticism of the book. Bogar shows this point about acting history but does not make it. He seems too careful at times, content to document Owens’ career, but not to speculate on it or make the statements to which all his evidence leads. Often the book drifts into pure chronology, satisfied with sections of “he played this here, then he played that there.” I wished to know more about Owens himself. What did he believe in, what were his attitudes to the world around him, how did he react to the trials and tribulations of life as a mostly itinerant theatre performer? Owens acted during the Civil War, yet we get little in the way of how he reacted to, or felt, about that most cataclysmic event. There are a few anecdotal exceptions such as not being able to play Pittsburgh

because of his states' rights sentiments and feeling more at home in New Orleans. We get little in the way of how he reacted to, or felt, about that most cataclysmic event. Perhaps such insights do not exist, but Bogar's extensive documentation provides an opportunity to make the kind of suppositions that could have lifted this book out of the niche of the too-much-like-a-doctoral-dissertation to truly exciting and engaging history. Still, I found this an informative book, accessible and engaging, largely because Bogar so clearly admires his subject.

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Listening to Nineteenth-Century America. By Mark M. Smith (Chapel Hill: University of North Carolina Press, 2001. 372 pages. Illustrations, index. Cloth, \$55; Paper, \$19.95.)

With *Listening to Nineteenth-Century America*, Mark Smith launches us on an important, innovative quest for the soundscapes of the historical past. It is an intriguing and persuasive book, important as much for what it provokes as for what it provides. Smith seeks to persuade scholars that "sounds—and the images used to convey them and the ways in which particular ears listened to them—carried enough weight to prompt people to destructive action." (269). In antebellum America, that meant that diverging sensibilities about how the world should sound both shaped and exacerbated sectionalism and played a significant role in driving Americans North and South into civil war. Smith's other, but by no means his second, purpose seems to be to establish a permanent place in the scholarly hermeneutic for aurality. If understanding soundscapes helps explain the coming, and going, of the Civil War, then aurality's place in the methodological canon can be assured.

Smith makes a few factual blunders that will annoy, such as implying that the Army of the Tennessee, which Sherman led into Atlanta, was a Confederate unit (206) and misspelling the name of Frances Butler Leigh (244), but these do not interfere with the book's overall value.

Smith structures the book invitingly by tucking his theoretical reflections into a final essay at the end and plunging the reader at once into the world of antebellum sounds. And what a rich and resonant world it turns out to be. Mining sources of all kinds, Smith finds more sounds, more meanings for sounds, more elaborations of those meanings, and more records of those elaborations than one might have thought it possible to find. The astounding variety and richness of his material by itself supports his contention that sound marked and made much of the nineteenth-century world.

He argues that, before approximately 1840 (though his dating is perhaps a bit too loose), the aural worlds of northern and southern elites were significantly

congruent. Admiration for the “hum of industry,” a recurring trope always associated with balanced, appropriate and virtuous economic development, united them, as did the use and meaning of the bells that signaled key aspects of public life, including church, work, jubilation, and alarm. Shared elite satisfaction with industrious workers and well-regulated settlements, however, grew less resonant as northern and southern workers sought to make their own voices heard. Southern masters worked assiduously to silence both their enslaved workforces and internal and external critiques of the peculiar institution, ultimately committing themselves to a policy of willful deafness on the whole question of slavery itself. In the North, capitalists embraced a mixed policy on popular clamor, embracing as positive the sounds essential to the practice of popular democracy while seeking to regulate and suppress the “noises” of untoward license or rebellion.

Over the course of two decades, from 1840 to 1860, their choices about the ideal American soundscape drove southern and northern elites apart. More importantly, as their differences trumped their similarities, each side created extreme aural images of the other, trading heated denunciations of “clanking chains” and “howling mobs.” In his theoretical section, Smith argues that sound carries substantial emotional weight, helping people to feel safe or endangered, welcome or estranged, lost or guided, good or bad. In the text, he tracks how these sectionalized sound images, repeated and heightened in myriad ways, fueled rising panic on both sides that, should the other side prevail, everything of value would be lost. Out of that panic emerged the willingness, even eagerness, to go to war.

In my opinion, Smith makes an irrefutable case for attending to how the past sounded (and perhaps felt and tasted as well), not least because the enchanting freshness of his language demonstrates quietly how tied historians have become to monotonous visual metaphors. “Hearing” historical sounds also gives an intimate and moving immediacy to the past that students and scholars alike can learn from and enjoy. But it is less clear that knowing the antebellum soundscape does more than enrich what we already know about the coming of the war. Smith’s most provocative link between sound and political causation may be in the Reconstruction period, which he deals with more quickly, when elite northerners, distressed and frightened at the aural fallout from their victory, seek comfort and Romantic repose in the “quiet” South. That point has potent implications for The Lost Cause and the retreat from Reconstruction. Beyond its particulars, though, *Listening to the Nineteenth Century* is a major step forward that will effectively challenge scholars to conjure with sound. What sound struggles have actually caused will become more clear, one can confidently hope, thanks to many future inquiries and analyses that will take their starting point from this book.

SHARON ANN HOLT

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The American Home Guard: The State Militia in the Twentieth Century. By Barry M. Stentiford. Texas A&M University Military History Series 78. (College Station: Texas A&M University Press, 2002. 319 pages. Notes and Index. \$44.95.)

As the nation proceeds into the twenty-first century, the term militia tends to be widely misunderstood. The confusion over what is meant by this term results from a general unfamiliarity by many citizens concerning the history of the nation's military forces and because some extreme right wing organizations, which sprang up in the last two decades of the twentieth century, appropriated this term for their own purposes. The well-read student of military history will of course remember the role of the militia in the nation's early wars and the contribution of the volunteer militias that formed the backbone of the war effort in the Civil War. Conversely, even many students of military history who understand what the militia is, and was, fail to understand that in the twentieth century a unique militia organization was created, the state militia or state sponsored home guard. With this volume Barry Stentiford, a professor at Grambling State University, gives the readers the opportunity to understand both the traditional and the twentieth-century state militias.

To establish a basic understanding for readers of the term militia, Stentiford first provides an introductory chapter that gives a well-written and accurate description of the origins of the American militia and how it contributed to the defense of the nation prior to the beginning of the First World War. Although he neglects to highlight either the significance of Washington's sentiments on the Peace Establishment or the National Defense Act of 1933, a reader can obtain a solid understanding of the American militia's origins through this chapter. With a historical and legal basis provided, the reader is well prepared to consider the main theme of the book, the state militia or home guard.

The author correctly separates state militias in the twentieth century from their eighteenth- and nineteenth-century precursors. The necessity of establishing state militias in the twentieth century was born out of America's new role as a major world power and both the legal changes and role of what had been known as the militia, now known as the National Guard. For when guard units were called to fight America's wars in Europe and Asia, during World Wars I, II, and Korea, states were deprived of their emergency defense (and natural and manmade disaster response force). Thus, a substitute had to be organized to defend the home front while the National Guard was under federal orders.

The majority of the book concerns the efforts first during World War I and later during World War II, to draft and pass the necessary laws to authorize state defense forces and then train and equip them to defend the homeland. Although equipment and training were often of questionable quality, state guards were created to assume the duties of federalized guardsmen serving overseas. With the

mobilization of 1950, again state guards were authorized, though without the enthusiasm of 1917 and 1941. Only Texas, California, and New York vigorously embraced the organization of their state units.

This book truly fills a void in military literature. Although increasing numbers of books and articles have appeared in recent years about the pre-twentieth-century militia and the National Guard, writers have failed to adequately discuss a unique institution, the state militia or home guard of the twentieth century. It is appropriate to do this at this time due to the constantly increasing number of federal missions for the National Guard and the current emphasis on the defense of the homeland. Indeed, this is a timely study with implications for the future.

SAM NEWLAND

U.S. Army War College

Women and Twentieth-Century Protestantism. Edited by Margaret Lamberts Bendroth and Virginia Lieson Brereton. (Urbana & Chicago: University of Illinois Press, 2002. 365 pages. Notes, index. Cloth, \$49.95; Paper, \$19.95.)

The product of a three-year collaborative effort, *Women in Twentieth-Century Protestantism*, explores the cracks and fissures within the common narrative of achievement used to interpret the struggle of women in the modern world. As the editors point out in their introduction, the success of women in twentieth-century Protestantism has typically been viewed in terms of access to church governing bodies and ordination rights. Yet, this measuring stick, based largely on the experience of white middle-class women from mainline churches, fails to describe the reality of the rest. As remedy to this shortcoming, the authors in this collection “bring to light an alternative set of historical texts that give voice to a broad range of Protestant women” exploring the “meaning and impact of feminism” as well as expanding the way in which church is defined (xi–xii).

The essays are helpfully organized into five sections. The first section, “New Dimensions of the Separate Sphere: Women and Religious Institutions,” explores the impact of egalitarian ideals across a range of Protestant church and parachurch organizations. The essays in the second section, “Religion, Modernity and the Protestant Domestic Strategy,” capture a broad shift in the way moral and religious power has been mediated through the family. “Constructing Women’s Religious Experience,” focuses on first-person experiences of women as expressed through the letters, prose, and poetry of non-elites. The fourth section, “Women and the Professionalization of Religious Work,” tackles some of the ambiguities and contradictions of professionalization for women from ministers and volunteers to doctors and healers. Finally, the two essays found in “Women and Modernity,” document the process of secularization drawing into question the simple linear narrative commonly assumed in discussions of these topics.

Those interested in the history of Maryland will find Paul Harvey's article, "Saints but Not Subordinates: The Woman's Missionary Union of the Southern Baptist Convention," of particular interest. Here, Harvey traces the history of the Woman's Missionary Union (WMU) from its origins to the present. He argues that the "story of the WMU complicates the dominant narrative of women and twentieth-century American Protestantism" (5) in which women shift from the "progressive Protestant mainstream to the anti-progressive Protestant right wing" (6). Since its inception in 1888 as an auxiliary of the Southern Baptist Convention (SBC), the WMU has denied all claims to independent action and promoted the ideal of invoking a "missionary spirit" in women and children (8). Yet, by appealing to these same sensibilities, the WMU has often carved a middle way between northern liberalism and southern fundamentalism. Baltimore native Annie Armstrong was present at the founding of this new southern women's organization and headed it until her resignation in 1906. During her tenure, Armstrong enacted her own ideal woman, a self-sacrificing volunteer with a keen business sense, tirelessly working behind the scenes. Although many of the decisions made by the WMU—including the decision to professionalize in 1906—have conflicted with Armstrong's vision of "heroic volunteerism in benevolence" (10), Harvey presents a fascinating account of the way in which Armstrong's ideal has been strategically taken up over the years for a variety of progressive purposes.

Like Harvey, the thirteen other contributors offer original and often provocative essays. However, three stand out as especially worthwhile not only for historians but for scholars of religion and women's studies as well. In "Writing Our Way into History: Gender, Race, and the Creation of Black Denominational Life," Laurie Maffly-Kipp "explores the means by which African American women writers within the historically black mainline Protestant churches assumed religious authority between 1880 and 1920" (165). By expanding what counts as "church" from formal institutional life to the more widely dispersed religious practices of black women writers, Maffly-Kipp lucidly shows how women acted as "agents of community formation whose work sometimes complemented, and at other moments competed with, that of male colleagues" (167).

James Opp's piece, "Healing Hands, Healthy Bodies: Protestant Women and Faith Healing in Canada and the United States, 1880–1930," is a second essay of note. Opp applies gender analysis to the divine healing movement with intriguing results. He explores both the roles of women as healers in the face of growing professionalization in the medical field and the first person testimonies of female patients. This article gives a unique perspective into the ways in which women negotiated power over the care and construction of their bodies around the turn of the century.

Finally, in "Losing Their Religion: Women, the State, and the Ascension of Secular Discourse, 1890–1930," Maureen Fitzgerald illumines the Protestant un-

derpinnings of the modern welfare state through an analysis of Progressive Era discourse on welfare. Fitzgerald makes the religiously particular ideological premises of social work in general and casework in particular visible by analyzing the interface of such programs with Catholics and Jews of this period.

On the whole, the essays in this collection share an approach to religious history that challenges what contributor Ann Taves (borrowing from Wayne Proudfoot) describes as “descriptive reduction” to binaries such as sacred/secular or public/private (305). By contrast, the authors in this collection take up a variety of strategies including a variety of feminist and postmodernist strategies for re-reading history. The methods employed as well as the subject matter have broad appeal across disciplinary lines. The previously unsurveyed materials and underrepresented perspectives explored in this collection nuance the predominant narrative of women in twentieth-century Protestantism and provide a substantive supplement to this history.

TERESA SWAN TUIITE
Yale University

Books in Brief

Dianne Swann-Wright's *A Way Out of No Way* is a narrative history of the author's slave ancestors and their adjustment to freedom in the years following the Civil War. The author, director of the special programs and oral history project at Monticello, used her family's oral history as the core of her research and then worked with plantation records such as account books and wills. The result is a study of the changed relations between the people of Piedmont, Virginia, from master and slave to employer and employee. This book also addresses the larger question of how both black and white families adjusted to postwar life.

University Press of Virginia, \$49 cloth; \$14.95, paper

In the Footsteps of George Washington: A Guide to Sites Commemorating Our First President, is William G. Clotworthy's detailed tour of every site Washington visited during his travels through the colonies and new United States. The book is divided into three sections with a short biography of Washington and historic information on, and directions to, more than one hundred and fifty sites. Each entry also includes a map of the site and contact information. Color photographs and a section titled "Other Sites of Interest" enhance this travel guide.

The MacDonald and Woodward Publishing Company, \$24.95, paper

Harry M. Ward's *Between the Lines: Banditti of the American Revolution* is an account of the men who fought outside of the regular armies and militia units during the American War for Independence. Renegade groups of Loyalist refugees and "persons generally affiliated with the British cause" conducted raids upon rebel citizens and militia and met retaliation in kind. These brutal encounters left wide sections of territory in New York, Georgia, and the Carolinas wastelands as the military appropriated livestock and supplies and looted and destroyed homes. Most citizens fled their homes for the duration of the war. This study takes the reader another step beyond the traditional military history, past the colonial militia fighting from the bushes and the trees, to the shadows in which bandits and renegades plundered the countryside and terrified American patriots.

Praeger, Greenwood Publishing Group, \$49.95, cloth

Letters to the Editor

Editor:

I am writing to comment on “‘The Whirlwind Now Gathering’: Baltimore’s Pratt Street Riot and the End of Maryland Secession,” by Charles W. Mitchell that appeared in the summer 2002 *MdHM*. Mr. Mitchell presents a well-balanced account (a rarity these days) of the Baltimore Riot and its impact on the secession movement in Maryland. As an author of a work chronicling the southern nature of Maryland at the beginning of the Civil War, I feel compelled to offer a few thoughts.

First, Maryland was a southern state acting in concert with the South throughout the antebellum period.¹ The question, then and now, is whether this decided “southernism” translates into “secessionism.” Even with modern polling techniques, it would be impossible to determine primarily because of the presence of exceedingly large numbers of federal troops in and around the state at the time it was trying to make a decision. Legislators, businessmen, and civic and local political leaders were simply too frightened and too confused to make sound judgments, just as we would be today if confronted with the same circumstances.

Second, it is important to view the secession movement in Maryland within the context of the secession movement in the upper South (Virginia, North Carolina, Tennessee, and Kentucky as well as Maryland). Upper South unionists, the anti-secessionists, held a substantial majority in every state of the upper South until April 15, 1861.² Thus, Mitchell is correct in pointing out that Baltimore businessmen would vote “pro-Union” in January 1861. Businessmen in Richmond, Raleigh, or Nashville voted the same way—they voted primarily for political stability, an environment in which their businesses could prosper. However, what is critical to our understanding of this group are the “conditions” attached to their unionism, i.e., their faith that the federal government would not “coerce” any state to remain in the Union, and their faith that the Lincoln administration would control the radical liberals within the Republican Party and maintain a moderate course.

Third, Lincoln’s stance at Ft. Sumter, his subsequent Proclamation of Insurrection and call for troops to “put down the rebellion” knocked the anti-secessionist train off the tracks. Upper South unionists, including the vast majority of

1. Lawrence M. Denton, *A Southern Star for Maryland* (Baltimore, Publishing Concepts, 1995).

2. Daniel W. Crofts, *Reluctant Confederates* (Chapel Hill: University of North Carolina Press, 1989).

Marylanders, opposed the use of federal troops to force any state to stay in the Union and, just as strongly, opposed the radical liberals (later called the Jacobins) taking control of the administration at Washington. Lincoln's proclamation was a death blow to upper South unionists because it cut the ground out from under them by demonstrating the North was about to wage war on the South and, grievously, that the radicals had won control of the administration—contrary to what they had been arguing to their constituents. Gabor Boritt, in his essay, "Abraham Lincoln and the Question of Individual Responsibility," states, "Lincoln did not permit himself to see that a bloody war might come, misled himself and his people. . . . Had Lincoln admitted to himself that a colossal war would be the price of freedom, he might have been paralyzed. . . . I think he could not have accepted the war he actually got between 1861 and 1865 and so would have opted for peace."³ Upper South unionists had staked all on Lincoln "opting for peace" and lost all when it did not happen.

After the proclamation, as Mitchell correctly points out once again, "Secession badges and Confederate flags . . . were everywhere in Baltimore." The same was true throughout the upper South. Indeed, another day of riot in Baltimore could very well have carried Maryland out of the Union, as he cites Evitts in the last paragraph. Upper South unionists, bitterly disappointed in Lincoln, turned toward the secessionists, many with grave misgivings. J. G. Randall and David Donald capture the point. "Throughout the whole situation one sees the unfortunate effect of Lincoln's April policy. Feeling that Lincoln should have given conciliation a better trial, that he should above all have avoided a crisis at Sumter, conservative Southerners were deeply outraged at what they deemed both a stroke of bad policy and a breaking of administration promises. As for his call for troops, it served in one flash to alienate that whole mass of Union sentiment, while not pro-Lincoln, was nevertheless antisecessionist and constituted Lincoln's best chance of saving the Union without war."⁴

Mitchell ends his well done work with a curious set of quotes and conclusions. To cite just a few, in order of appearance:

"Maryland lawmakers would refuse even to consider an ordinance of secession." This has little to do with the Baltimore Riot and much to do about the tens of thousands of federal troops streaming through Maryland, even more poised on her border about to enter the state—and the consequent disruption of trade and commerce and all semblance of "normal life."

Henry Winter Davis said that the clash of April 19 "*has greatly strengthened us and I feel now more confidence than ever in the resolute loyalty of Maryland.*" Davis

3. Gabor S. Boritt, *Why the Civil War Came* (New York: Oxford University Press, 1996).

4. James G. Randall and David Donald, *The Civil War and Reconstruction* (Boston: D. C. Heath and Company, 1961).

would often side with the radical Republicans and this crowd became more pronounced and bold in their support for the Union the closer federal troops got to Baltimore (and to themselves). For his political maneuvering and scheming, Davis earned the everlasting disdain of most Marylanders, being ingloriously defeated for the House of Representatives in June 1861 by a relative unknown. Davis is hardly a representative source for Maryland opinion at this time.

“William Schley reported that ‘there never was a moment when Maryland could have been forced into secession.’” Writing after the war (with the clairvoyance of 20-20 hindsight and some wishful thinking) this oft-quoted statement from Schley suffers even more than Davis from “non-representativeness.” Schley was an unconditional unionist throughout the war, was roundly disliked by Baltimoreans for his close association with the radical liberals, and held little sway over his contemporaries. He was a strong supporter of Hugh Lenox Bond, the candidate of the Radical Republicans in the gubernatorial election of 1867, and watched him suffer the most lopsided defeat in the history of Maryland politics when he received just 26 percent of the vote.

“The quick restoration of order in Baltimore had precluded the prospect of four years of unimaginable carnage upon the soil of a Confederate Maryland.” Order was restored in Baltimore because no more federal troops came through after April 19 (at least for awhile); however, order was also restored because the populace was frightened to death, because business was at a standstill, because grocery stores were running out of food and basic supplies (Baltimore was cut off from the outside world by the advancing federal troops shutting down the highways and railroads and by the Potomac Flotilla essentially shutting down the port of Baltimore), and because most members of the Maryland militia were packing up and heading South to join the Confederate army. More importantly, however, a seceded Maryland (now with Washington surrounded) could just as easily have caused a suing for peace by the North, thus preventing the four years of carnage altogether. In any event, Mitchell’s concluding sentence is just too speculative for an otherwise excellent article.

Lawrence M. Denton

Queenstown, Maryland

Mr. Mitchell responds.

Editor:

I appreciate the comments of Lawrence M. Denton about my article, “The Whirlwind Now Gathering: Baltimore’s Pratt Street Riot and the End of Maryland Secession” (*Maryland Historical Magazine*, summer 2002). Denton claims that “Maryland was a southern state acting in concert with the South throughout the antebellum period” (citing as his source his own book). I assume he refers to

the early months of 1861, when there was a Confederate nation to “act in concert with,” but beyond the importuning of southern emissaries to persuade Maryland’s Governor Thomas H. Hicks to convene the Maryland legislature into special session, there was little if any official interaction between Maryland and the Confederacy.

Denton notes that secessionism in Maryland was buried by an avalanche of federal troops “in and around the state at the time it was trying to make a decision.” Other than the federal operation in Annapolis—established to get troops from the north to Washington via the Chesapeake Bay, thereby avoiding Baltimore in the wake of the April 19 clash between those soldiers and Baltimoreans—U.S. troops were not in Maryland in any number until the early morning hours of May 14, by which time the state legislature had met—free of any federal interference—and decided to make no statement on secession.

Denton is correct, I believe, in stating that many (if not “a majority of”) Marylanders opposed the use of federal troops to drag seceded states back into the Union. I disagree, however, that Lincoln’s proclamation of April 15, 1861, “was a death blow to upper South Unionists.” Many such men, and women, associated themselves with “southern unionism” throughout the Civil War—a group that included slaveholders who had the ears of Maryland governors Hicks and Bradford as well as President Lincoln through 1862, when elimination of slavery became a Union war aim and danger of a Maryland secession had long receded to nothing.

The conclusion of Denton’s letter agrees with my point that order was restored in Maryland because no federal troops passed through Baltimore after April 19. I am less certain that other contributing factors he cites—a “populace frightened to death,” businesses suffering, and “grocery stores running out of food” helped with that restoration—such circumstances are usually associated with a breakdown in social order. And Baltimore was not, as Denton says, “cut off from the outside world by the advancing federal troops shutting down the highways and railroads.” Baltimoreans destroyed railroad bridges spanning rivers north of the city to prevent more troop trains from passing through, but I am unaware of any record of such action by federal troops—Lincoln was acutely aware of the volatile situation in Maryland and the need to refrain from any action that might stimulate an attempt at secession. I stand by a central tenet in my article, that Maryland secessionists did not exploit the April 19 riot and its aftermath because, being leaderless and unorganized, they could not.

Charles W. Mitchell
Lutherville, Maryland

Editor:

In “Fade to Gas: The Conversion of Baltimore’s Mass Transit System from Streetcars to Diesel-Powered Buses” (fall 2002), Aaron Michael Glazer argues

that Baltimore lost its streetcars after WWII in large part because of an unholy alliance that included National City Lines (a holding company that got a controlling interest in the Baltimore Transit Company), General Motors, and the Firestone tire company. Starting in 1946, or two years after it took over management of BTC, the National City pushed buses on a reluctant public, and ridership plummeted.

The problem with this interpretation is that a large and growing number of buses were on the streets of Baltimore long before National City took over. As early as the 1920s the transit company had nine bus lines, and in 1938 it began using trackless trolleys, which were buses that ran on electricity from overhead lines. In the summer of 1941, or shortly before Pearl Harbor, the BTC had ninety-two of the trackless trolleys and 219 of the regular buses. This represented 23 percent of its fleet (*Evening Sun*, August 28, 1941). The decision to add more buses after WWII in many respects reflected that earlier trend, and the city council encouraged the BTC to do so with a resolution in October of 1945. And notwithstanding the many virtues of streetcars, buses also had some, including greater speed and air-conditioning.

But the decline and fall of the BTC had less to do with buses or streetcars than it did with Baltimoreans' preference for the automobile. In 1946 a report prepared by the Maryland State Roads Commission, the federal Public Roads Administration, and the city claimed Baltimore could use over 4,300 more parking spaces in downtown. That suggests how much the shift to autos was going on even before more buses arrived.

Michael P. McCarthy
Baltimore

Notices

Maryland Day Celebration

The Maryland Historical Society will celebrate the state's 369th anniversary with author and former curator Laura Rice's illustrated slide show based on her book *Maryland History in Prints, 1743-1900*. The library will display a selection of the full-color engravings, lithographs, and etchings Rice used in her book. Enjoy a light hors d'oeuvres and wine reception before the lecture and book signing afterward. This event, presented by the Concordia Foundation, will be held on Tuesday March 25 at 6 P.M. at the Maryland Historical Society, 201 West Monument Street, Baltimore, Md. 21201. Cost per person is \$10 for MHS members, \$15 for non-members, and \$10 for students. Reservations are required. For tickets and/or for additional information, call 410-685-3750 x321.

SAWH Publication Prizes

The Southern Association for Women Historians is accepting submissions for its annual awards. The Julia Cherry Spruill Prize is awarded annually for the best published book in southern women's history and the Willie Lee Rose Prize is given for the best book in southern history authored by a woman. The association also honors journal and anthology articles with the A. Elizabeth Taylor Prize. Editors, scholars, and authors are invited to nominate eligible manuscripts for these prizes. Send four copies of each submission, clearly marked for the appropriate category, to Melissa Walker, Converse College, Department of History and Politics, 580 East Main Street, Spartanburg, S.C. 29302. For additional information email melissa.walker@converse.edu or phone 864-596-9104. All entries must be received by April 1, 2003.

2002 Harold L. Peterson Winner

Eastern National awarded the 2002 Harold L. Peterson prize to Joseph P. Reidy for his article "Black Men in Navy Blue during the Civil War," published in the fall issue of *Prologue*, the National Archives' quarterly publication. Professor Reidy teaches at Howard University and has published extensively on slavery, emancipation, and the Civil War.

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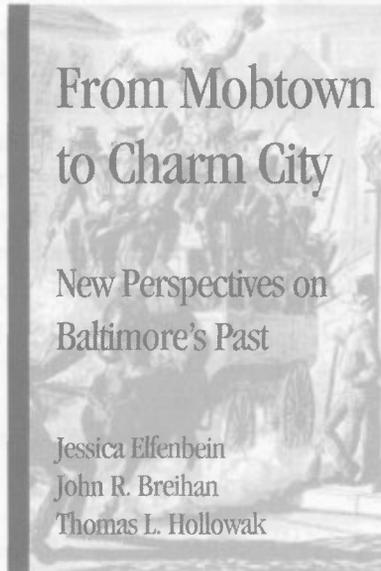
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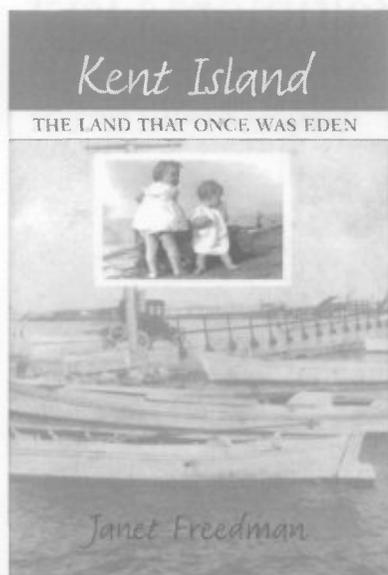
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