

## Pinkney

"set all the idle world to going to France." Of relatives who achieved distinction perhaps the best known were his uncle, William Pinkney [*q.v.*], the lawyer, diplomatist, and statesman, and the poet, Edward Coote Pinkney [*q.v.*], a cousin. His brother William became Protestant Episcopal Bishop of Maryland. Ninian Pinkney was graduated from St. John's College in Annapolis in 1830, and from Jefferson Medical College, Philadelphia, with the degree of M.D., in 1833. The brilliant teacher of anatomy at Jefferson, Granville Sharp Pattison, is said to have looked upon Pinkney as his successor, but probably the glamour of travel and the certain income led him to the navy in which he was commissioned as assistant surgeon in 1834. After cruises in South American waters and in the Mediterranean, he served at the naval hospital in Philadelphia, 1838-39. In 1840 he was court-martialed on charges of "disrespectful and provoking language to a superior" and "conduct unbecoming to an officer and gentleman." He was found guilty of part of the charge and was suspended for eight months, but he returned to the service and for three years, 1841-44, was on the west coast of South America. This duty was followed by two years, 1844-46, on the receiving ship in Baltimore, blockade duty during the war with Mexico in 1846, and in 1852, by a coveted appointment at the Naval Academy. It was during the duty at Callao, Peru, 1841-44, that he built up a reputation for skill in surgery. This port was the rendezvous for the whaling fleet in the South Pacific, and to Pinkney fell the practice from this source. From Apr. 20, 1841, to Nov. 29 of the same year he reported forty-one operations of a major character, with but one death. After 1852, when he went to Annapolis, he took an active interest in the affairs of the American Medical Association and in improving conditions in his own corps. He rarely missed an annual meeting of the Association and in 1876 was elected a vice-president.

After another cruise in the Mediterranean, and duty at Washington, Pinkney was assigned as surgeon of the fleet to Admiral David D. Porter's squadron operating in the upper Mississippi. He joined the flagship *Black Hawk* in December 1862, but spent his time largely on the hospital ship *Red Rover*. His accomplishments under Admiral Porter, who became his lifelong friend, attest his ability. He had medical supervision over eighty ships, organized in 1863 the hospital at Memphis, named Pinkney Hospital in his honor, and in one letter to his wife he mentions having traveled 8,000 miles in visiting some ninety-five ships and stations, distributing medi-

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cal supplies. After the war he took quite an active interest in politics. He had very definite ambitions about becoming the head of his corps, but the fates were to deny him this honor. He retired on June 7, 1873, with the rank of commodore, and settled with his wife and daughter in Easton, Md., in the house, "Londonderry," which he himself had planned and built. Here he died after a short illness, leaving his widow, Mary Sherwood Hambleton, and his only child, Amelia.

[Sources include: J. M. Toner, memoir in *Trans. Am. Medic. Assn.*, vol. XXIX (1878); F. L. Pleadwell, "Ninian Pinkney, M.D. (1811-1877)," *Annals of Medic. Hist.*, Nov. 1929, Jan. 1930; *War of the Rebellion: Official Records (Navy)*, 1 ser. XXIV, XXV, and XXVI; D. D. Porter, *Incidents and Anecdotes of the Civil War* (1883); Orlando Hutton, *Life of the Right Reverend Wm. Pinkney, D.D., LL.D.* (1890); the *Gazette* (Baltimore), Dec. 17, 1877; family papers; and the S. A. Harrison Collection, Md. Hist. Soc.]

F. L. P.

**PINKNEY, WILLIAM** (Mar. 17, 1764-Feb. 25, 1822), lawyer, statesman, diplomat, was born at Annapolis, Md., one of four children of Jonathan Pinkney, an English immigrant, and Ann Rind, his second wife. The latter, a native of Annapolis, was a sister of Margaret Rind, Jonathan's first wife, by whom he had one child. When the father's property was confiscated by reason of Loyalist sentiment in the Revolution, poverty necessitated the son's withdrawal from the King William School of Annapolis, at the age of thirteen. In overcoming the handicap of deficient education, Pinkney devoted a lifetime to intense study. According to tradition, he favored Maryland's cause in the war and would often elude the paternal vigilance to mount guard with the Continental soldiers. Sometime later, while he was receiving instruction in medicine from a Baltimore physician, a fortuitous occurrence changed the course of his life. Samuel Chase [*q.v.*] heard him debate in a society of medical students and, perceiving his aptitude for the law, offered the use of his library if he would undertake its study. Pinkney accepted; and in February 1783 entered Chase's office to master the obscurities of pleading and tenures from the black-letter learning of the day. He was called to the bar in 1786 and removed to Harford County to practise.

His first efforts attracted public attention and resulted in his election to the state convention that ratified the Federal Constitution, in April 1788, although Pinkney, under the influence of Chase, voted against its ratification; a circumstance worthy of note in view of his later pre-eminence as a constitutional lawyer. (See B. C. Steiner, "Maryland's Adoption of the Federal Constitution," *American Historical Review*, Oc-

tober 1899 and January 1900; but Rev. William Pinkney, *post*, p. 17, insinuates that he voted for it.) He was a member of the legislature continuously from October 1788 until his retirement in 1792. At the session in 1789 he delivered a florid speech advocating the abolition of slavery which, twenty years later, was published and distributed in Congress by the Quakers to challenge the consistency of his position on the Missouri question. On Mar. 16, 1789, he was married at Hayre de Grace to Ann Maria Rodgers, sister of Commodore John Rodgers [*q.v.*] of the United States Navy; ten children—one of them being Edward Cooté Pinkney [*q.v.*—were born of this union, all of whom survived him. A capricious element in his character was exhibited in connection with his election to the Second Congress in 1790, which was disputed because he did not reside in the district from which he was chosen. He stubbornly contested the point and then, when successful, refused to serve. He was appointed a member of the state executive council in 1792 and was chairman of the council board when he resigned in 1795.

Meanwhile his rise at the bar had been sensational and, in 1796, Washington selected him as joint commissioner with Christopher Gore [*q.v.*], under the seventh article of the Jay Treaty, to adjust American claims for maritime losses. Eight strenuous years in London followed, significant years in his development. Speeches heard in Parliament and in the courts were the models of his later efforts. Contact with men of culture revealed, to his discomfort, the dearth of his own. Accordingly, he was tutored in Latin and Greek, read widely in law and literature, declaimed in private, and began a diligent study of dictionaries and lexicons that was never thereafter relaxed. From the work of the commission he also found time successfully to terminate a chancery suit instituted more than a decade before by Samuel Chase, recovering for the State of Maryland a large quantity of stock in the Bank of England. His prestige was great when he returned to practice in Baltimore in 1804, and on Dec. 1, 1805, he became attorney-general of Maryland. He relinquished this office, however, after six months' service.

Following Pinkney's return, British Admiralty courts began to justify the condemnation of American shipping by reviving the so-called "Rule of the War of 1756." In January 1806 a memorial attacking this "Rule" was drafted by Pinkney for the merchants of Baltimore and forwarded to Congress (*Memorial of the Merchants of Baltimore, on the Violation of Our Neutral Rights*, 1806). It induced Jefferson to appoint

him, in the following April, as joint commissioner with James Monroe [*q.v.*], then minister resident in London, to treat with the British cabinet on the subjects of reparations and impressments. Wholly abandoning the three conditions that by their instructions were to form the foundation of the agreement, they signed a treaty remarkable for its failure even to bind the British government. Jefferson angrily repudiated it without consulting the Senate, yet when Monroe left England in October 1807, Pinkney was retained as minister. Immediately affairs became further complicated by the attack of the *Leopard* on the *Chesapeake* and the issuance of the British Orders in Council. Throughout the next four years Pinkney sought fruitlessly to obtain reparation for the former and repeal of the latter. No more difficult, futile task has been assigned to an American diplomat. The presence of a strong Anglophile party at home embarrassed his negotiations, while the conciliatory manner he was forced to adopt diminished his effectiveness. His correspondence with Canning, the foreign secretary, was distinguished alike for restraint under irritation and strength of argument. In finesse, however, he was wanting. On one occasion he was cajoled into making a written offer to repeal the Embargo in return for repeal of the Orders and, because the offer violated instructions, was deeply mortified by its prompt rejection. At length his notes to Wellesley, Canning's successor, elicited only vague replies after long delays, and Pinkney broke relations, rather inamicably, Feb. 28, 1811, convinced that matters would lead, as they did, to war. To admirers of Pinkney the lawyer, Pinkney the diplomat was disappointing. Moreover, there were numerous strictures in the press upon various phases of his work. Henry Adams declares, however, that "America never sent an abler representative to the Court of London" (*Adams, post*, VI, 21).

On his return he was appointed attorney-general in Madison's cabinet, Dec. 11, 1811, and in this office assumed undisputed leadership of the American bar, a leadership he maintained until his death. Owing to the introduction of a bill in Congress, requiring the residence of the attorney-general at the seat of government, he resigned abruptly, Feb. 10, 1814, before the bill was even reported out of committee. In pamphlets, under the pseudonym Publius, he vigorously supported the War of 1812, and as a major of Maryland militia he commanded a battalion of riflemen in the battle of Bladensburg, Aug. 24, 1814, being severely wounded in the arm. At the February term of the Supreme Court in 1815, he

delivered a speech in the celebrated case of *The Nereide* (9 *Cranch*, 388), that was even extolled in the opinion (p. 430). He served in the Fourteenth Congress from Mar. 4, 1815, until Apr. 18, 1816, when he resigned to accept appointment as minister to Russia with a special mission to Naples en route. The object of the Naples mission was to obtain compensation from the existing government for shipping seized under the Murat régime. Through the strategy of the Marchese di Circello in avoiding an answer to Pinkney's note until after he had been forced to proceed on his way, the mission utterly failed and compensation was never secured. The prospect upon his arrival in Russia in January 1817 was not promising, for the controversy that followed the arrest of Kosloff, a Russian consul in America, had only recently been settled. Notwithstanding, he quickly accomplished one object of his mission by procuring the recall of every Russian diplomatic officer in the United States; and though he failed to negotiate the commercial treaty that was his primary object, he succeeded in establishing more friendly relations with Russia than had ever theretofore existed. His impatience to return to the bar had been daily increasing and, in declining appointment as minister to England, he wrote Monroe, "My desire is to be a mere lawyer" (*Wheaton, Life*, p. 160). In February 1818, he left Russia without awaiting his recall.

It was while serving in the United States Senate from Dec. 21, 1819, until his death that, as an interpreter of the Constitution, Pinkney performed his greatest work. In the Senate debates on the Missouri question, he became the champion of the slave-holding states and his speeches in opposition to Rufus King [*q.v.*] were an important factor in bringing about the Compromise. His most distinguished labors, however, were in the Supreme Court, where his arguments in *McCulloch vs. Maryland* (4 *Wheaton*, 316) and in *Cohens vs. Virginia* (6 *Wheaton*, 264) were his crowning achievements. Of the former, Justice Story wrote: "I never, in my whole life, heard a greater speech; it was worth a trip from Salem to hear it. . . his eloquence was overwhelming" (*Life and Letters*, post, I, 325).

During these years his foppish dress, his affected, flamboyant manner of delivery, and his extravagant rhetoric made him a vivid, picturesque figure. Women crowded to hear him and Pinkney, excessively vain, sought their approval as much as the Court's. He literally lived for applause. Though he desired to excel in everything, his ruling ambition was to excel at the bar, and to sustain his reputation there he toiled

incessantly, feverishly; yet, oddly enough, sought to create the impression that his knowledge resulted from hasty incursions and that his precise citations of cases, made in an offhand manner, were but chance recollections. Toward those who challenged his supremacy his conduct was insolent and ungenerous. Much criticism resulted from insults offered in court to Thomas Addis Emmet (1764-1827) and William Wirt [*q.v.*], and a duel with the latter was narrowly averted. For frequent discourtesies to Daniel Webster, the latter boasted of having extorted an apology under threat of a beating (*Harvey, post*, pp. 121-23). Conspicuous in Pinkney's physical appearance were his square shoulders, erect carriage, and intense blue eyes, but most conspicuous were the deep furrows in his face and the heavy circles under his eyes, and to conceal them he used cosmetics. He wore corsets to diminish his bulk. Despite apparent robust health, he was a hypochondriac. In society he was haughty and reserved. He had little sense of humor. Though he spent sixteen years in Europe, he was of counsel in seventy-two Supreme Court cases and acquired what has been described as the most extensive and lucrative practice of his time. That he was the most talented, versatile advocate of his time there can be little doubt. Volumes of contemporary eulogy attest his superiority. Chief Justice Marshall proclaimed him "the greatest man I ever saw in a Court of justice" (*Tyler, post*, p. 141). Chief Justice Taney wrote thirty years after his death: "I have heard almost all the great advocates of the United States, both of the past and present generation, but I have seen none equal to Pinkney" (*Ibid.*, p. 71). He never wrote his speeches, however, and no product of his pen that remains would seem a worthy index of his living fame. But fame in life he considered more desirable and strove to preserve it with increasing anxiety until, exhausted by overwork, he died at Washington and was buried there in the Congressional Cemetery.

[The two biographies are: Henry Wheaton, *Some Account of the Life, Writings, and Speeches of William Pinkney* (1826) and Rev. William Pinkney, *The Life of William Pinkney* (1853). Both are inadequate and panegyric; the latter must be read with care. Another sketch by Wheaton appears in Jared Sparks, *The Lib. of Am. Biog.*, vol. VI (1836). For good sketches see H. H. Hagan, *Eight Great Am. Lawyers* (1923) and A. S. Niles in vol. II (1907) of *Great Am. Lawyers*, ed. by W. D. Lewis. The following periodicals are important: *Law Reporter*, Sept. 1846; *Albany Law Jour.*, Aug. 20, 1870, Mar. 18, 1876, Aug. 2, 1879; *N. J. State Bar Assn. Year Book*, 1906-07; *U. S. Law Intelligencer*, Aug. 1830; *Am. Lawyer*, July 1905; *No. Am. Rev.*, Jan. 1827. For amusing anecdote see *Forum* (London), Jan. 1874. On diplomatic career see: *Am. State Papers, Foreign Relations*, vols. III, IV (1832-34); J. C. Hildt, "Early Diplomatic Negotiations of the U. S. with Russia," in *Johns Hopkins Univ. Studies in Hist. and Pol.*

*Sci.*, vol. XXIV (1906); *Letters and Other Writings of James Madison* (4 vols., 1865); Henry Adams, *Hist. of the U. S.* (9 vols., 1889-93); Madison and Monroe Papers (MSS. Div., Lib. of Cong.). For contemporaneous estimates see Wm. Sullivan, *Familiar Letters on Public Characters* (1834); W. P. Kennedy, *Memoirs of the Life of William Wirt* (2 vols., 1849); *Life and Letters of Joseph Story* (2 vols., 1852) and *The Miscellaneous Writings of Joseph Story* (1852), both ed. by W. W. Story; Samuel Tyler, *Memoir of Roger Brooke Taney* (1876); *Life, Letters and Journals of George Ticknor* (2 vols., 1876), ed. by A. E. Ticknor and A. E. Hilliard; Peter Harvey, *Reminiscences and Anecdotes of Daniel Webster* (1877); A. J. Beveridge, *The Life of John Marshall*, vol. IV (1919); *Daily National Intelligencer* (Washington), Feb. 26, 1822. The source for date of marriage is "Maryland Marriages, 1777-1804" (typescript in Md. Hist. Soc.); genealogical material has been taken from records in the possession of Mrs. L. Roberts Carton, Towson, Md.

J. J. D.

**PINNEY, NORMAN** (Oct. 21, 1804-Oct. 1, 1862), clergyman, educator, was born in Simsbury, Conn., the son of Butler Pinney, whose wife was Eunice (Griswold), widow of Oliver Holcomb. He was a descendant of Humphrey Pinne, who emigrated from England to Dorchester, Mass., in 1630. Norman received a college training at Yale, where he won the Berkleian Premium and was graduated in 1823. On June 14, 1826, he was elected tutor at Washington (now Trinity) College, Hartford, Conn., and two years later was appointed adjunct professor of ancient languages, with an annual salary of \$600. He resigned this position on Sept. 5, 1831. Soon afterward he was ordained by Bishop Thomas C. Brownell of the Protestant Episcopal Church, who was also president of Washington College. In 1829 Brownell had traveled through Kentucky, Mississippi, Louisiana, and Alabama, where his visits lent impetus to the growth of the Episcopal Church, and it was probably due to his influence that in 1831 Pinney went to Mobile as rector of Christ Church. He was active both in his parish and in the affairs of the diocese. Judging from his one published discourse, *A Sermon Preached July 5, 1835 in Christ's Church, Mobile* (1835), he took his responsibilities seriously yet cheerfully; the sermon is marked by clear analysis, an enlightened spirit, and a sensible tone. During his rectorship the floor of the church building fell under the weight of the crowd attending a Fourth of July service. Having come to differ with the doctrines of his Church, he withdrew from the ministry, and was formally displaced by Bishop James H. Otey, on Feb. 27, 1836. Later, he became a Unitarian.

In this same year he founded the Mobile Institute, a school for boys. His educational ideas are set forth in his booklet of fifty-six pages, *The Principles of Education as Applied in the Mobile*

*Institute* (1836). He foresaw that New Orleans was to become the commercial center of a great inland empire, and hoped that Mobile might aspire to be the educational and cultural center of this region. He understood that in a democracy there is peculiar need for proper education, and considered that the education of his time was too theoretical. He opposed the plan on which many colleges and schools were then being founded; which provided that students should spend part of their time in farm work, on the ground that such labor was "incompatible with that neatness of dress and cleanliness of person which befits a student." He stressed the value of unrestricted sport for boys, and thought corporal punishment necessary only in rare and unusual cases. He attached importance to Latin, mathematics, and English composition, but put less emphasis on history, modern languages, and sciences. The last named he thought important, but not "to be taught in all their minute detail." Parents who wanted their children educated in order to make more money "must of course regard money, not merely as the chief good, but as the only good." The Institute prospered, and many men later conspicuous in Mobile history were educated there. Pinney had important qualifications as an educator and was especially noted for the patient firmness with which he succeeded in bringing out whatever capacity there was in his pupils. He lived quietly, and took no active part in public affairs. Shortly before his death he went to New Orleans, intending to found a boys' school there, but died after a brief illness. He published a number of textbooks, the most of which went through several editions. They include *Practical French Teacher* (1847); *First Book in French* (1848); *The Progressive French Reader* (1850); *The Practical Spanish Teacher* (1855); with Juan Barceló; *Easy Lessons in Pronouncing and Speaking French* (1860); *French Grammar* (1861), with Émile Arnoult. Apparently he never married.

[L. Y. Pinney, *Geneal. of the Pinney Family in America* (1924); H. R. Stiles, *The Hist. and Geneal. of Ancient Windsor, Conn.*, vol. II (1892); *Obit. Record Grads. Yale Coll.*, 1863; information from the treasurer's office, Trinity Coll., Hartford, Conn.; records of the dioceses of Miss. and Tenn.; Erwin Craighead, *Mobile, Fact and Tradition* (1930); *Picayune* (New Orleans), Oct. 2, 1862.] R. P. M.

**PINTARD, JOHN** (May 18, 1759-June 21, 1844), merchant, philanthropist, was born in New York, the son of John and Mary (Cannon) Pintard, and was descended from Anthony Pintard, a Huguenot from La Rochelle who had settled at Shrewsbury, N. J., in 1695. He lost both parents during his first year, his father, a seagoing merchant, dying on a voyage to Haiti.