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BALTIMORE

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THE EDITOR'S PAGE

A common observation today is that good writing—words that sparkle and entertain as they communicate with precision—is increasingly rare. Historians often single out their profession, survey the sterile monographs, and bemoan their shrunken audience. A century and a quarter ago history was written for and bought by a huge readership. The works of Parkman, Prescott, Motley, and Bancroft were literature as well as history, and the reading public appreciated their literary qualities. But since the academic professionalization of the discipline, history as literature has tended to take a back seat to history as social science. The result has been that proportionally fewer people now know far more about our past. Enormously sophisticated studies using all kinds of arcane concepts, esoteric terminology, and complicated computational techniques have made great advances in our knowledge of particular problems, places, and personalities. Accuracy of detail and exactitude of statement have put felicity of expression in the background.

Yet surely now is the time to put methodological chauvinism aside, accept what is said on its merits, and seek the synthetic overview, the provocative interpretation that places the ever increasing particulars into a broader social, economic, and cultural context. The cliometricians still speak disparagingly of impressionistic evidence and inferential conclusions, and more traditional historians continue to argue that more skilled counting does not measure the truly important ingredients of history. Neither position is without merit, or fault. Fogel and Engerman's widely ballyhooed *Time on the Cross* has errors aplenty of research and historical understanding to make the most diehard quantifier cringe, and Fawn Brodie's *Thomas Jefferson: An Intimate History* shows in extreme form the excesses to which literary sources and unfounded inferences can be pushed. We want careful scholarship written with gusto.

Where are the gifted historians who will command the field, use all the tools and skills of the profession, and deliver a holistic account of the past, with both ideas and self-interest acknowledged? History is a discipline that once was called upon to make sense out of, and interpret, the entire spectrum of human endeavors, and following Darwin the historical approach seemed relevant to all the rooms in the great mansion of scholarship. Good history, soundly researched and competently written, with a thread of genius tying together the myriad facts, will always have a future. Today the public, perhaps partly for nostalgic reasons, is turning to history, but alas, they often read the most inferior, popularized works. The readership is there, the need is obvious, and where are the great masters of history?

Clearly good history is being written—think of the recent books by Morison, Boorstin, Genovese, Morgan, and Bailyn, and the works of Hofstadter, Potter, Schlesinger, and Woodward—but the broader public seldom turns to the professional historian for guidance in things past. One hopes the contemporary depression in the history job market, the declining history enrollments, and the precarious state of many university presses will force a recognition of the grander purposes of history. What better bicentennial gift could academe make to the nation?

JOHN B. BOLES

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George Calvert and Newfoundland: "The Sad Face of Winter"

THOMAS M. COAKLEY

PLANTATIONS ARE AMONGST ANCIENT, PRIMITIVE AND HEROICAL WORKS."¹ So wrote Francis Bacon in his essay "Of Plantations." Bacon's words, first published in the midst of George Calvert's venture in Newfoundland, are apt as a text not only because of the enterprise which Calvert undertook but also because of the effort which the historian must make to construct an account of it. His task was clearly ancient, primitive, and heroic; the duty which he leaves to the historian of his enterprise is no less ancient, primitive, and foolhardy, if not heroic. Calvert either left no extended accounts or correspondence concerning his overseas ventures, or these documents have been lost or destroyed. Furthermore, the crosscurrents of his political career and religious professions cut ambiguously through his colonizing efforts in Newfoundland, where he began his first serious venture in 1620 and not until 1629 departed, if he did not abandon, the enterprise. The motives, means, and experience of Calvert in Newfoundland are the subject of this inquiry.

George Calvert, First Lord Baltimore (ca. 1580–1632) elicits the trite phrase, a creature of perplexing questions and tentative answers.² Born in Kiplin, North Riding of Yorkshire, with a father of local standing in the lower ranges of the gentry and a stepmother who had several scrapes with the authorities over her Roman Catholicism, he went up to Trinity College, Oxford, then on to Lincoln's Inn, and traveled on the continent. He returned to London to serve as one of the private secretaries of Robert Cecil, First Earl of Salisbury. He held minor offices in England and Ireland and also assisted King James I in his anti-Arminian theological writings. He later served most importantly as one of the principal

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1. "Of Plantations," in James Spedding, Robert Ellis, Douglas D. Heath, eds., *The Works of Francis Bacon*, 14 vols. (London, 1861–87), 6: 457 and n. 2. This essay (no. XXXIII) appeared for the first time in the edition of 1625 and was carefully translated into Latin and revised in the course of translation, "probably by Bacon himself" (*ibid.*, 6: 367, 457n. 1, 524, 544).

2. This article is part of a larger study of the biography of George Calvert, First Lord Baltimore, which I was encouraged to undertake by the late Professor Wallace Notestein. I am particularly indebted to the Maryland Historical Society for the opportunity to use the papers of the late director, James W. Foster, which are deposited in the Society's Manuscripts Division. I owe special thanks to Mrs. James W. Foster for her interest and encouragement of the project. Mr. Foster had begun a full-length study of Calvert and before his death had completed four chapters, of which the first was published, "George Calvert: His Yorkshire Boyhood," *Maryland Historical Magazine* 55 (December 1960): 1–14. I am in substantial agreement with the most recent study, John D. Krugler's excellent article based on the printed sources, "Sir George Calvert's Resignation as Secretary of State and the Founding of Maryland," *Maryland Historical Magazine* 68 (Fall 1973): 239–54.

secretaries of state (1619–25). His chief political significance would seem to arise from his part in the attempts to effect the Spanish Match—a marriage alliance between Prince Charles and one of the Spanish Infantas, with a projected relief of English Catholics from the penal laws and a recovery of the Palatinate for James's son-in-law, Frederick V, Elector Palatine and sometime King of Bohemia. Here, however, the attention will be directed at his other career as a stockholder in the East India Company and the Virginia Company of London, an adventurer and planter of Newfoundland, and the projector of the colony of Maryland. His eldest son, Cecil Calvert, Second Lord Baltimore, only received the Maryland charter on June 20, 1632, shortly after his father's death on April 15 in that year.

Calvert's earliest commitments to overseas ventures had no discernible connection with religion but inferentially had association with his economic interests and political ambitions. In 1609 he invested at least £25, along with some six hundred other incorporators or patentees, in the second charter of the Virginia Company.³ In the same year he was admitted to the East India Company. In 1614, "in regard of his place" as one of the clerks of the Privy Council, he was allowed to add £600 to his adventure of £1,000 in the joint stock of the East India Company.⁴ The circumstances of the beginning and subsequent expansion of his investments, the latter clearly related to his political office, may be surmised from an inspection of his fellow adventurers in 1609. Indeed, the social and political aspects of the second charter of the Virginia Company are as important as the economic ones, and their significance to Calvert's overseas ventures in particular should not be lost. He also entered the East India Company at the height of aristocratic and gentle investment in the most profitable company of the age. This success caught up gentle and mercantile leadership alike in a boom of overseas joint-stock speculation that lasted from 1609 to 1615. Some 3,500 admissions to membership in all companies occurred in these years, three times as many in the single year of Calvert's first investment (1609) as in the near-quarter-century stretching from 1575 to 1598. The gentry augmented the numbers of the East India Company by some fifty stockholders.⁵

The familial and social context of Calvert's investment provides indirect evidence of his motive. His fellow investors in the Virginia Company included his wife's cousins of the Wroth and Rich families and also Sir George Wharton of the Yorkshire family, of whom his father Leonard was a tenant.⁶ Another Calvert cousin, Ralph Ewens, appeared as a co-incorporator in 1609.⁷ It is an irony, in

3. James W. Foster, "George Calvert: A Career Begins," p. 7, unpublished typescript, James W. Foster Papers, Maryland Historical Society, (MS 2002); Alexander Brown, ed., *The Genesis of the United States*, 2 vols. (Boston and New York, [1890], 1897), 1: 228n. 1; 2: passim.

4. Great Britain, Public Record Office, *Calendar of State Papers, Colonial Series, East Indies, China, and Japan, 1513–1616*, pp. 192, 273 (hereafter CSPCEI). Theodore K. Rabb, *Enterprise and Empire: Merchant and Gentry Investment in the Expansion of England, 1575–1630* (Cambridge, Mass., 1967), pp. 57–58, also concludes that Calvert's total investment in the East India Company stood at £1600.

5. Rabb, *Enterprise and Empire*, p. 82.

6. Foster, "George Calvert: A Career Begins," p. 7 and n. 14; Brown, *Genesis*, 1: 210, 211, 214; 2: 803, 805, which lists Sir Thomas Wroth, but not John Wroth, as interested in the company.

7. Foster, "George Calvert: A Career Begins," p. 3; Brown, *Genesis*, 1: 214.

view of the usual assumptions about Calvert's motives, that the Virginia charter of 1609 contained an especially thunderous attack on "the superstitions of the church of Rome" and empowered the treasurer and three members of the council to tender the oath of supremacy to persons passing over as planters under this patent.⁸ Indicative of the motive and moment of the Virginia Company investment, as of the East India Company entry, is the fact that at least 267 nonmercantile persons of the rank of gentleman or above, including the Earl of Salisbury at the pinnacle and Calvert on the lower slopes, helped to form the former company.⁹

Although this throng of gentle investors may have had less interest in immediate profit than the mercantile and citizen element and may have had motives of religion or patriotism uppermost (And why could not merchants have shared those motives too?), the expectations aroused by the success and profitability of the East India Company could not but raise the investment fever. Calvert, still a minor but rising political figure, in all probability found himself in the company of his patron, fellow clients, friends, and family for the ordinary motives which attracted them.

What was remarkable about Calvert's investment and colonization interest was his persistence beyond the time when joint-stock ventures enjoyed such interest and popularity. Admittedly, at the height of his political career, between 1619 and 1625, his attention to his investments and other overseas activities must have been avocational and occasional. Particularly in the years from 1621 to 1623, when he was the sole active secretary of state, time for serious attention to his interests was clearly minimal.¹⁰ Yet, in a time when the promotion and flotation of joint-stock ventures had declined, if not quite dried up, Calvert embarked on an individual effort at plantation in Newfoundland which far outstripped his previous involvement in terms of both personal commitment and financial outlay. As all the overseas ventures except the East India Company and an occasional, almost accidental, effort proved unprofitable,¹¹ why did Calvert continue the quest at great personal cost and inconvenience? Further discussion of his motives must await an account of colonization in Newfoundland before his venture and of the course of his own plantation there.

Although this is no place for detailed discussion of the fishing trade of Newfoundland in which Englishmen, particularly West Country men, were active from the end of the fifteenth century, it is necessary to give a brief résumé of English colonizing efforts before and during the time of Calvert's undertaking.¹² In the first years after peace with Spain had been established in 1604, Newfoundland with its prosperous fisheries must have had a practical

8. Brown, *Genesis*, 1: 236-37.

9. *Ibid.*, p. 228n. 1.

10. Note his inclusion in a list of Members of Parliament in 1624-25, who were members of the Virginia Company "yet have not had nor followe the buissness for Sundry yeares" (Kimbolton MS 371, Duke of Manchester Records, quoted in Brown, *Genesis*, 2: 802-803).

11. Rabb, *Enterprise and Empire*, p. 69.

12. Discussion of the Newfoundland Company closely follows Gillian T. Cell, *English Enterprise in Newfoundland, 1577-1660* (Toronto, 1969), pp. 53-80.

appeal as well as a fabulous fascination for those seeking possibilities for investment. Zealous promoters were not above reports of sightings in St. John's Harbor of a creature that might or might not be a mermaid, a prodigious occurrence altered in later reports to suggest the apparition might be either a mermaid or a merman.¹³ Merchants of Bristol apparently led the way in the formation in 1610 of a "London and Bristol Company for the plantation of Newfoundland."¹⁴ Although the petition for the grant rehearsed the advantages and benefits of a colony and gave assurance of no intention to impede freedom of fishing, the existing interests seemingly took alarm at the possible threat to their trade which an established colony might pose.

By July 1610 John Guy, the governor, and thirty-nine colonists had departed from Bristol armed with instructions to build a fortified dwelling, to fish, to make salt, and to search for minerals. This Cupids Cove settlement appeared to prosper, at least to work hard, in the first few years with the advantage of a couple of mild winters and in spite of harm from piracy committed on the neighboring fishermen. A third winter brought severe weather and a serious outbreak of scurvy. Disillusionment set in and only thirty people wintered in 1613-14. The subscribers to the company proved no less discouraged and split into factions, and the fishermen developed an active hostility. By about 1617 the company, contrary to previous policies, began to alienate large tracts to proprietors not members of the company as well as to company members.

The Newfoundland Company already had tried other means besides direct company investment to sustain interest and to attract new capital to the island enterprise.¹⁵ This tactic paralleled the efforts of the Virginia Company in about the same period (1617-20).¹⁶ In Newfoundland five grants of land were made to private patentees, of whom Calvert requires particular attention. The other four grantees included a group of Bristol merchants: Sir William Vaughan; Henry Cary, Viscount Falkland, later Lord Deputy of Ireland (1622-29); and Sir William Alexander. Sir William Vaughan was the most colorful and fanciful, though sometimes practical: "Welsh gentleman, scholar, poet, romantic, he dreamed of a new Cambriol—a second and more prosperous Wales—in the New World."¹⁷ Although Vaughan was at Oxford when Calvert was there, no connection between the two stretching back to that time has been found.¹⁸ Only between 1617 and 1619 can it be proved that Vaughan had a colony, probably on the east coast of the Avalon Peninsula at Renewse and not on the south coast of Trepassey, as is frequently stated. When Vaughan's group left, Thomas Rowley,

13. Richard Whitbourne, *A Discourse and Discovery of Nevv-found-land* (1st ed.; London: By Felix Kingston, 1620), sig. N and v; Richard Whitbourne, *A Discourse and Discovery of Nevv-found-land* (2nd. ed.; London: By Felix Kingston, 1622), sig. R4 and v; Richard Whitbourne, *A Discoervs [sic] and Discovery of Nevv-found-land* (3rd ed.; London: By Felix Kingston, 1623), sig P3^v and P4.

14. Cell, *English Enterprise*, p. 53.

15. Discussion of ventures other than Calvert's closely follows Cell, *English Enterprise*, pp. 81-92.

16. *Ibid.*, p. 81; Wesley F. Craven, *Dissolution of the Virginia Company: The Failure of a Colonial Experiment* (New York, 1932), pp. 57-64.

17. Cell, *English Enterprise*, p. 83.

18. *Dictionary of National Biography*, s.v. "Vaughan, William"; J. Thomas Scharf, *History of Maryland*, with a new foreword by Morris L. Radoff, 3 vols. (Hatboro, Penn., 1967 [orig. ed. 1879]), 1:31.

a colonist at Cupids Cove, wrote with some feeling that "the welch Fooles haue left of" ¹⁹

In the face of so many failures in the Newfoundland ventures, and in the midst of the busiest time in his political career, Calvert's entry seems odd indeed. Yet enter he did in 1620 by taking a lot which in part had been granted to Vaughan and in part had been granted directly to Calvert by the Newfoundland Company. As yet, no evidence has appeared to indicate that he gave any money or other consideration for these grants except for a reference to his purchase at great cost in the preamble to his charter of 1623. ²⁰

Some colonists went out in 1621 under Captain Edward Wynne. Twelve spent the winter at Ferryland, Calvert's settlement which drew its name from the corruption of the Portuguese *Fariham* (steep rock, steep little island, reef, point) that first appeared on the Verrazano map of 1529. ²¹ Wynne wrote to Calvert from Newfoundland the following summer with glowing accounts of the progress of the venture. If the narration may be believed, this small band worked miracles that augured well for the plantation. Either the winter of 1621-22 was mild, or Wynne was exceedingly sanguine, or he lied outrageously. He declared that "[f]or the Countrey and Climate: It is better and not so cold as England hitherto," and he concluded that "[a]ll things succede beyond my expectation." ²² Writing on the same day, Captain Daniel Powell, who had brought out an additional party of colonists in 1622, also gave an encouraging report, although he permitted himself the reservation that "[n]o cold can offend it [i.e., the settlement], although it be accounted the coldest Harbour in the Land . . ." ²³ Later in the same summer, Wynne returned to the happy prospects with fantastic tales of successful crops and satisfactory salt-making. Salt-making appeared a sensible production with the cod fisheries so close at hand. Again he reserved his most enthusiastic praise for the climate.

The ayre heere is very healthfull, the water both cleere and wholesome, and the Winter short and tolerable, continuing onely in Ianuary, February, and part of March; the day in Winter longer then in *England*; the nights both silent and comfortable, producing nothing that can be said, either horrid or hideous. Neither was it so cold heere the last Winter as in *England* the yeere before. I remember but three seuerall dayes of hard weather indeed, and they not extreme neither; for I haue knowne greater frosts, and farre greater snowes in our owne Countrey.

Wynne had a wintering party for 1622-23 which numbered, including himself, thirty-two, and he hoped for two more additions. The professions and crafts

19. Thomas Rowley to Sir Percival Willoughby, Cupids Cove, October 16, 1619, Middleton MS, Mi X 1/51, Nottingham University, quoted in Cell, *English Enterprise*, p. 74 and n. 91.

20. Scharf, *History of Maryland*, 1: 34. For a full discussion of the source problems regarding the charter, see below nn. 30, 31.

21. Edgar R. Seary, *Place Names of the Avalon Peninsula of the Island of Newfoundland* (Toronto, 1971), p. 31.

22. Captain Edward Wynne to Sir George Calvert, Ferryland, July 28, 1622, in Whitbourne, *Discourse and Discovery* (1622), sig. S1-S2^r, pp. 1-4.

23. Captain Daniel Powell to Sir George Calvert, Ferryland, July 28, 1622, in *ibid.*, sig. S3-S4, pp. 5-7.

represented in the colony were surgeon, husbandman, smith, stonelayer, quarryman, carpenter, boat master, fisherman, and cooper. Unlike the small wintering party of the previous year, this group clearly included women—two wives, one widow, one woman of uncertain status, a maid, and two girls.²⁴

A member of the party, probably Nicholas Hoskins, was likewise enthusiastic in a letter probably to Calvert's son-in-law, William Peaseley. With words by now conventional he proclaimed, "The Climate differs but little from *England*, and I my selfe felt lesse cold heere this Winter, then I did in *England* the Winter before, by much." He closed with the assurance "that your poore well-wishing friend is alieue, and in good health at Ferryland. . . ." ²⁵

Armed with this encouragement Calvert proceeded to confirm his grants from Vaughan and the Newfoundland Company by acquiring a charter by letters patent from the king for his new colony. One curious phrase in a letter from the colony, "your Honour and the rest of the Vndertakers," implied that Calvert had partners in the venture;²⁶ but nothing in the charter or in the subsequent history of the plantation suggests the support of partners or of any corporate enterprise. In fact the lack of evidence about corporate effort is supported by the prevailing mood and economic circumstances of the 1620s, which were not favorable to joint-stock-company formation.²⁷ A more probable explanation of Calvert's financial means in undertaking this venture is that he used his personal and family resources and such loans, secured by his real and personal property, as he could make. The sole piece of evidence as yet available to support this hypothesis dates from 1629, when the Avalon venture was in serious trouble. In that year Calvert's brother-in-law, George Mynne, transferred £4,000 of East India Company stock entered in his own name and £2,000 of the same stock in Calvert's name to Philip Burlamachi, the merchant-financier.²⁸ Without further evidence this episode is telling support for the argument. Probably Calvert had plunged himself and his kinsman into the venture, and failing any or many financial returns, they were obliged to repay the moneylender whose loans had sustained the enterprise. This conjecture must be very close to the mark.

Although Calvert's position as principal secretary of state should have simplified the grant of the charter for him, there seems to have been some difficulty since a patent to him and his heirs "of the whole country of Newfoundland" was minuted in the colonial correspondence and the Grant Book on December 31, 1622²⁹ but the final grant or regrant, in less vast territorial terms, did not pass the seals until April 7, 1623.³⁰

24. Captain Edward Wynne to Sir George Calvert, with postscript, "The names of all those that stay with me this yeere," Ferryland, August 17, 1622, in *ibid.*, sig. S4^v-T2^v, pp. 8-12.

25. N. H., a gentleman, [probably Nicholas Hoskins] to W.P. [William Peaseley], Ferryland, August 18, 1622, in *ibid.*, sig. T3-T4, pp. 13-15.

26. Captain Daniel Powell to Sir George Calvert, Ferryland, July 28, 1622, in *ibid.*, sig. S4, p. 7.

27. Rabb, *Enterprise and Empire*, pp. 86, 87, 89.

28. *CSPCEI, 1625-1629*, pp. 698-99: "Transfers of Adventures in the East India Company."

29. Great Britain, Public Record Office, *Calendar of State Papers, Colonial Series, America and the West Indies, 1574-1660*, p. 35 (hereafter *CSPCA*).

30. Public Record Office, Signet Office Docquet, Ind. 6806, March 1623, noted in James W. Foster Papers, suggests that alterations and additions were by direction of the lord treasurer, the earl marshal, and the lord chamberlain, that the former grant was surrendered and the new grant was

The charter is a complex document of twenty wordy clauses.³¹ Although the preamble (clause 2, according to J. Thomas Scharf's arrangement) declared that the grant was of land "not yet husbanded or planted, though in some parts thereof inhabited by certaine barbarous People wanting Knowledge of Almighty God," the operative clauses did not limit Calvert to unplanted territories. A similar ambiguity in the Maryland charter granted to Calvert's son caused great military and legal conflict for the later Calverts. Next (clause 3), the charter gave the boundaries of the territory on the Avalon Peninsula, bounded on the east by the Atlantic; on the north by the St. Johns Plantation or Lot; on the west by Conception Bay, the lands of John Guy of Bristol called Sea Forest, and by Placentia Bay; and on the south by New Falkland, the lands of Henry Cary, Viscount Falkland, which comprised the southern tip of the peninsula.

The grant (clause 4) included the assignment to Sir George, his heirs, and assigns of "the Patronages and Advowsons of all Churches which as Christian Religion shall increase within the said Region Isles and Limitts shall happen hereafter to be erected. . . ." This stipulation is notably different from the provisions of the later charter of Maryland with respect to religion, and it may be suggested that official notice had not been taken of Calvert's Roman Catholic sympathies at the time of the Avalon grant, if indeed these had fully taken shape or were known. In the subsequent Maryland charter (also clause 4) the foregoing authority over ecclesiastical livings was granted, but joined to it was the "license and faculty of erecting and founding churches, chapels and places of worship, . . . and of causing the same to be dedicated and consecrated according to the ecclesiastical laws of our kingdom of ENGLAND. . . ." This limitation was doubtless included because of the Calverts' Roman Catholicism which was well known when that charter was prepared and passed the seals in 1632.³²

Notice has often been taken of the provision (also in clause 4) granting the patentee the "Right jurisdictions privileges prerogatives Royalties, Liberties, Imunities and Franchises whatsoever" by land and sea as amply as those enjoyed by "any Bishop of Durham within the Bishoppricke or County Palatine of Durham in our Kindgome of England. . . ." This celebrated "Bishop of Durham's clause" subsequently appeared in the Maryland charter, Sir Edmund Plowden's charter (1634) for New Albion (later New Jersey), the "Carolana" charter of Sir Robert Heath, and the Carolina charter of the Restoration period. Since Calvert applied for the Avalon charter before he had had any extensive experience in Ireland or Newfoundland, the best argument for the origin of this clause is an attribution

issued by the Signet Office with the subscription of the attorney general instead of the principal secretary, that is, Calvert. Public Record Office, Sign Manual Letters, James I, vol. 15, no. 3: March 30, 1623, calendared in *CSPCA, 1574-1660*, p. 41. The enrollment of the Avalon charter may be found at Public Record Office, Patent Rolls, 21 James I, pt. 19, no. 7 (C66/2301), April 6, 1623. The date of the grant conventionally is given as April 7, for which see Public Record Office, Colonial Office Papers 1/2/23 (hereafter CO), calendared in *CSPCA, 1574-1660*, p. 42.

31. The text of the charter of Avalon used here is the English translation in the British Museum, Sloane MSS, 170, quoted in Scharf, *History of Maryland*, 1: 34-40. It has been compared with the translated typescript of the *Inspeximus* of the charter made in 1634, Calvert Papers, Maryland Historical Society, MS 174/177(1), [Reel VI, microfilm edition]. My designation is based on the old arrangement of these papers.

32. For the Maryland charter, see Scharf, *History of Maryland*, 1: 53-60.

grounded in his own awareness as a North Riding Yorkshireman of the powers of the Bishop of Durham and not in his experience with the needs of colonial government. The omission of the clause after the Carolina charter may be traceable to the decline of the powers of the Bishop of Durham—for example, the county of Durham gained the right of parliamentary representation in 1673—or to governmental apprehensions about the risk of a grant of implied power of uncertain extent. No determination of the reasons for the disuse of the clause in later charters has been found.³³

The charter (clause 5) made the patentee, his heirs, and assigns “true and absolute Lords and Proprietaries of the Region” holding of the king and his successors “in Capite by Knights service, And yielding . . . a white horse whensoever and as often as it shall happen that wee, our heirs or successors,” should come to the territory and also obliging the patentee to give the crown one fifth of the gold and silver ore to be found there. The Maryland charter (also clause 5) was to rehearse these provisions except that the latter patent granted tenure “as of our castle of Windsor, in our county of Berks, in free and common SOCCAGE, by fealty only for all services, and not *in capite*, nor by knight’s service, YIELDING . . . TWO INDIAN ARROWS of those parts, to be delivered at the said castle of Windsor, every year, on Tuesdays in Easter-week. . . .”³⁴ For Avalon Calvert had the obligations of tenure *in capite* by knight’s service, that is, holding directly from the king by military obligation. It still could involve variable and burdensome expenses, although the primary duty to provide the king with knights for the feudal array long since had decayed. For Maryland he may have preferred the certain or fixed obligations of tenure by free and common socage to the uncertain responsibilities of knight’s service.

By the charter (clause 6) the region in which the Ferryland settlement was located became a province called Avalon. Although no references by Calvert confirm the source for this name, it is frequently attributed to Avalon, the ancient name of Glastonbury in Somerset, where tradition placed the appearance of Christianity in Britain. Legend had it that Joseph of Arimathaea received twelve hides of land there from King Arviragus.³⁵ The name suggests but does not prove a religious impulse behind the plantation, although it may be an early clue to Calvert’s changing motives.

The charter of 1623 (clause 7) gave the proprietor legislative authority with the advice of the freeholders as long as laws made under the charter were reasonable and not repugnant or contrary to the laws, statutes, and customs of England. The next clause (8) allowed the patentee to make ordinances without the freeholders except as regards the taking freehold, goods, and chattels under the same

33. Alfred H. Kelly and Winfred A. Harbison, *The American Constitution: Its Origins and Development* (New York, 1948), pp. 20–21; David Hawke, *The Colonial Experience* (Indianapolis, 1966), pp. 110–11, 209, 233. Alan Harding, *A Social History of English Law* (Harmondsworth, Eng., 1966), p. 300, is in error about the use of the Bishop of Durham’s clause in a Raleigh charter and in Penn’s charter. I am indebted to Mr. Cole P. Dawson for his unpublished paper, “The Shaping of Early Stuart Colonial Policy: Lord Baltimore and the Bishop of Durham’s Clause,” which has permitted me to write this paragraph with greater precision than I might otherwise have attained.

34. Scharf, *History of Maryland*, 1: 54.

35. *Dictionary of National Biography*, s.v. “Calvert, George”; Seary, *Place Names*, p. 63; Scharf, *History of Maryland*, 1: 33.

limitation as to their harmony with English law. The Maryland charter was to give comparable legislative authority.

The Avalon charter, like the Maryland charter (clause 16 in both), although less importantly in the latter case, guaranteed "free liberty of Fishing" to subjects of the kingdom of England—and also of Ireland in the case of Maryland—with protection from injury or loss to the proprietary and his colonists, and to the trees, of which the fishermen were destructive. These provisions sought to alleviate the differences between fishermen and planters by confirming the rights of both parties to those quarrels.

The two charters are comparable (Avalon, clause 19, and Maryland, clause 22) in ordering that doubts about "the true sense and understanding of any words clause or sentence" should be judged in a manner "most advantageous and favorable" to the patentee, provided that no interpretation "whereby Gods holy and truly Christian Religion or Allegiance due unto us our heires and successors may in any thing suffer any prejudice or diminution." In virtually every other possible particular, except three clauses (18, 19, 21) in the Maryland charter regarding grants of land, erection of manors, and separation from the Virginia colony, the two charters show close parallels which make the assumption reasonable that the Avalon charter was the model for the later Maryland grant.

For the next two years little evidence survives to indicate Calvert's active participation in the fortunes of his colony. It may be that the evidence has been lost or destroyed. It may be, however, that his personal preoccupations and political occupations proved too taxing to permit much attention to his remote obligations and interests in Newfoundland. His first wife, Anne Mynne, died in 1622, possibly leaving him with as many as ten surviving children. He was remarried, sometime before September 1625, to Joan, a woman reputed to be his first wife's kitchenmaid. Although his duties as principal secretary of state may have been burdensome when he was the sole active holder of the office from 1621 to early 1623, they became more complex when he acquired as a colleague in the office Sir Edward Conway, a most obsequious client of the royal favorite, the Duke of Buckingham.

Calvert was thoroughly identified with the policy of accommodation with Spain and the Habsburgs in general by means of the marriage treaty, the so-called Spanish Match. When this project collapsed in the aftermath of the journey by Prince Charles and the Duke of Buckingham to Madrid, Calvert's political future became doubtful because he apparently could not make the shift to the Hispanophobic policy required by the Prince and the Duke. Although all of the councillors who had supported the Spanish Match did not have Catholic sympathies, it has been assumed that Calvert did. Calvert, politically isolated by the sharp reaction in the court and the country, found his position so untenable that he was obliged to resign the secretaryship. Thereafter he was free to make public the Roman Catholic convictions towards which he may have been inclining for some still indeterminable time.

Calvert got out on better terms than some who had earned Buckingham's disapproval: the Earl of Middlesex, the lord treasurer, was abandoned to impeachment; Bishop Williams of Lincoln, the lord keeper, had a shaky time of it and finally had to give up his office of state though he clung to his diocese.

Calvert, by contrast, was permitted to sell his office and expected to receive £6000, three years' purchase on the assumption that the secretaryship was worth £2000 a year, and the right to dispose of an Irish peerage, which he might sell or, as he elected to do, keep for himself. Upon the accession of Charles I, Calvert asked time "to deliberat whether he might take the oath of allegiance, wherin he is since satisfied," but then an order was given for him and several others not to take the oath. In effect, Calvert was discharged from the privy council at the beginning of the new reign.³⁶

Freed from his public duties, Calvert had the time to devote himself to his colony, but royal policy and perhaps personal inclination diverted him for the moment. The chance of a war with Spain frustrated his efforts to go to the colony, since a ship, the *Jonathan*, which he had hired to take him and "such plants as he carries with him," had been held in port for the king's service. Calvert wrote to Sir John Coke, one of the navy commissioners, asking him to release her and another ship, the *Peter Bonadventure*, on which he intended to take cattle to Newfoundland, assuring Coke that Buckingham would not be displeased.³⁷ Whatever the disposition of this request may have been, Calvert did not go to Newfoundland at this time with the surmise being that his religion had a part in staying his departure.³⁸

Instead, by the summer of 1625 he had taken up residence in Ireland,³⁹ the graveyard of English politicians but the nursery of overseas adventurers. Although Calvert and his family lived much of the time from 1625 to 1627 at Ferns, County Wexford, in which he held lands, and although he also had lands in County Longford, no evidence has come to light to reveal how the Irish experience may have prepared him for the adventure of his person in Newfoundland. One account of March 2, 1627, had him recalled to London in order to go with other commissioners to negotiate a peace, but nothing came of this proposed embassy.⁴⁰

In April 1627 Calvert returned to London then definitely bound for Newfoundland. He wrote to Buckingham's secretary for a speedy dispatch of the warrant

36. John Chamberlain to Sir Dudley Carleton, London, April 9, 1625, in *The Letters of John Chamberlain*, ed. Norman E. McClure, 2 vols. (Philadelphia, 1939), 2: 609. Scharf, *History of Maryland*, 1: 40, quoting an unidentified manuscript of the Maryland Historical Society, has a less probable explanation that, although offered a dispensation from the oath of supremacy, Calvert chose to withdraw from the council.

37. CSPCA, 1675-1676, *Addenda, 1574-1674*, p. 68: March 15, 1625, George Calvert, Lord Baltimore, to Sir John Coke; also calendared in Great Britain, Historical Manuscripts Commission, *Manuscripts of Earl Cowper*, 1: 187. For convenience of reference no use of Calvert's title is made in the text after the initial one.

38. Scharf, *History of Maryland*, 1: 41.

39. Great Britain, Privy Council, *Acts of the Privy Council of England, 1625*, p. 33: April 26, 1625, Pass to go to Ireland; Great Britain, Historical Manuscripts Commission, *Report on Franciscan Manuscripts preserved at the Convent, Merchants' Quay, Dublin*, p. 81: September 17, 1625, prob. N.S., David [Roth], Bishop of Ossory, to Peter Lombard, Archbishop of Armagh. Other dates in the paper are either clearly or probably Old Style with the New Style year given for dates falling between January 1 and March 24.

40. Samuel R. Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War, 1603-1642*, new impression, 10 vols. (London: 1900-1904), 6: 162-63; Scharf, *History of Maryland*, 1: 41, without citation for his quotation.

exempting his ships, the *Ark of Avalon* (about 160 tons) and the *George of Plymouth* (about 140 tons), from the "general stay" of shipping.⁴¹ Six weeks later he declared that he would go in a "good Ship" of 300 tons with an escort of two or three other ships. His anxieties about his plantation were clear in a statement to his young Yorkshire friend, Sir Thomas Wentworth, later Earl of Strafford, that

I must either go and settle it in a better order than it is, or else give it over, and lose all the charges I have been at hitherto, for other men to build their Fortunes upon. And I had rather be esteemed a fool by some, for the hazard of one month's journey, than to prove myself one certainly for six years by past, if the business be now lost for the want of a little pains and care.⁴²

Calvert's activities during this brief summer sojourn are only slightly recorded, but evidently he took two Roman Catholic seminary priests, Longvyll and Anthony Smith, with him on this expedition and Longvyll returned with him to England.⁴³ Calvert left again almost immediately for Ireland.⁴⁴

In 1628 Calvert undertook a far more ambitious attempt at active participation in the life of his colony. The preparations were demonstrably more elaborate than those of the previous summer. Significant for Calvert's immediate purpose was an authorization on January 19, 1628, from the king to Viscount Falkland, by then lord deputy of Ireland and neighbor in Newfoundland ventures, to assist the Irish peer in plans for his removal to the colony.⁴⁵

Early in 1628 there occurred one of the infrequent clues to the financial arrangements which the plantation required. Calvert was in Bristol and needed money, one suspects for his preparations for a return to the colony. He asked John Harrison of London, who had procured for him a bill of exchange for £700 from Philip Burlamachi, who must have had, as mentioned, some part in financing the venture. The bill was drawn upon Christian Box (or Boc?) of Dublin. Calvert wanted it applied to the £300 which Mr. Willett, probably of Bristol, provided him and intended to take only the remaining £400 from Box in Dublin. Calvert assumed that it would be a matter indifferent to Harrison, whom he also informed that Willett had paid him readily £100 on a previous bill.⁴⁶

Whatever the route and the time of his voyage, Calvert was in his colony by the

41. CO 1/4/19, fol. 49, and also calendared in *CSPCA, 1574-1660*, p. 83: The Savoy, April 7, 1627, George Calvert, Lord Baltimore, to Edward Nicholas.

42. George Calvert, Lord Baltimore, to Sir Thomas Wentworth, The Savoy, May 21, 1627, *The Earl of Strafforde's Letters and Dispatches*, ed. William Knowler, 2 vols. (London: Printed for the editor by W. Bowyer, 1739), 1: 39; Scharf, *History of Maryland*, 1: 42.

43. CO 1/4/59, fol. 144, and also calendared in *CSPCA, 1574-1660*, p. 94: October 9, 1628, "Examination of Erasmus Stourton . . ."; Scharf, *History of Maryland*, 1: 42.

44. Great Britain, Privy Council, *Acts of the Privy Council of England, 1627-1628*, p. 216; Scharf, *History of Maryland*, 1: 42. Calvert had not yet returned or his return was unknown when William Payne wrote to [Katherine], Lady Conway, on November 2, 1627, expressing a desire that her husband acquire a stake in Newfoundland colonization (Public Record Office, State Papers, Domestic, Charles I 16/84/13).

45. Public Record Office, State Papers, Ireland 63/246, fol. 16 and v, and also calendared in Great Britain, Public Record Office, *Calendar of State Papers, Ireland, 1625-1632*, p. 305, item 905, and noted in James W. Foster Papers.

46. George Calvert, Lord Baltimore, to John Harrison at his house, "Crooket Friars [London], Bristol, February 5, 1628, British Museum, Stowe MSS, 743, fol. 76, photostat in James W. Foster Papers.

summer of 1628.⁴⁷ On this protracted visit his second wife, Joan; some of his children, certainly excepting Cecil; two sons-in-law, Sir Robert Talbot and William Peaseley; Hacket, a priest; and altogether about forty colonists accompanied him.⁴⁸

In Calvert's own words the events of the summer of 1628 in the colony were not entirely auspicious. "I came to builde, and sett, and sowe, but I am false to fighting wth ffrenchmen who haue heere disquieted mee and many other of his Ma^{ties} Subjects fishing in this Land: . . ." In a short campaign Calvert got the best of a French expedition of three ships and four hundred well-armed men under de la Rade of Dieppe in a manner unexpected of a gentleman whose adult life had been spent in secretarial and diplomatic pursuits. Perhaps he may be forgiven for boasting that the French party included gentlemen of quality and "La fleur de la Jeunesse de Normandye (as some frenchmen heare haue told vs) . . ."

The French surprised some fishermen in Calvert's harbor called Cape Broyle, not more than a league from Ferryland, and captured two ships and would have taken the rest. Calvert gave chase with one of his ships of 360 tons and twenty-four pieces of ordnance and a bark of 60 tons with three or four guns and one hundred men in all. A French scout sighting Calvert's force, de la Rade's ships let slip their cables and put to sea leaving behind their loot and sixty-seven men on shore. Calvert had the shore party taken as prisoners.

A few days later, hearing that de la Rade was spoiling the fishermen at Conception Bay some twenty leagues to the north, Calvert sent out his great ship with all the sailors he could muster, one of his sons, and some gentlemen and others at the plantation. The French had taken fright from the appearance of another ship, the *Unicorn* of London, but Calvert's party, with the help of a Captain Fearnese, turned instead south to Trepassey, where de la Rade first had put in before going to Cape Broyle. At Trepassey Calvert's force seized six French ships, five of Bayonne and one of St. Jan de Luz, although de la Rade apparently escaped from the coast without involvement in this last action.

These prize ships Calvert sent back to England for the judgment of Buckingham's admiralty court, begging pardon for "all errors of formalitey in the proceedings" from the lord admiral, who had been assassinated two days before Calvert wrote. From Buckingham Calvert, fearing a return of the French, requested that two men-of-war be kept on the Newfoundland coast except in winter to protect the fisheries, which he saw as breeding ground for sailors, the force to be supported by a levy upon the fishermen. He asked the late lord admiral to intercede with the king for this request.⁴⁹

47. One difficulty in accounting for Calvert's movements and preparations for his settlement in the colony is the series of documents indirectly and partially occasioned by his intended absence from England and partly caused by the intended marriage of his eldest son and heir, Cecil, to Anne Arundell, daughter of Lord Arundell of Wardour. Calvert Papers, Maryland Historical Society, MS 174/39, 40 [Reel V, microfilm edition]; Public Record Office, Patent Rolls, Charles I, pt. 30, no. 40 (C66/2497), February 1, 162[8?]; North Riding Record Office, ZBM 321, noted in James W. Foster Papers.

48. CO1/4/59, fol. 144, and also calendared in *CSPCA, 1574-1660*, p. 94: October 9, 1628, "Examination of Erasmus Stourton . . ."; Scharf, *History of Maryland*, 1: 42.

49. CO 1/4/56, 57, fols. 139-142^v, and also calendared in *CSPCA, 1574-1660*, p. 93: Ferryland, August

Calvert's victory had its problems. Controversy arose over his share in the prize ships which his action had helped to secure. His side of the story took this form: He chased away three French men-of-war with five hundred men—an escalation of the size of the opposing force, recovered various English ships which he restored to their owners, and took sixty-seven prisoners whom he maintained at great expense for nearly two months. Upon a second warning that the French were molesting the English off the northern part of his province, Calvert sent out his ship, the *Benediction*, whose captain, after the French had disengaged, informed the captain of the *Victory*, a man-of-war of London, of his plan to go to Trepassey. The two ships joined and sailed together, making a consortship in writing that any prizes which they or either of them would take should be divided “man for man and Tonne for Tonne.” The *Benediction* entered Trepassey Bay first as the chief ship and discovered six weak French fishing ships. After Calvert's ship fired six or seven shots and then a broadside, the terrified Frenchmen abandoned ship “leaving only one man aboarde, and hee hydd amongst the ffishes.” The *Benediction*, caught on the lee shore with scant wind, at first was unable to board, but the *Victory*, the lesser ship by 150 tons, which had only fired three shots, bore down on the French vessels, sent off her longboat, and boarded some of them before Calvert's ships could come up.

The ships, according to Calvert's account, observed the consortship in that the pillage immediately was divided man for man. The six prizes were taken into Calvert's harbor under the guns of his fort, where he might have retained his own by virtue of his royal charter. Later, the *Victory* lost her squadron in foul weather. The *Benediction* helped to recover the ships, to protect them from the French, and to see them safely back to England, saving two of the prizes from a “desperate Dunkirker” in the Channel while the *Victory* sat at Plymouth.

At that point the merchant owners of the *Victory* claimed the largest part of the prizes because their ship's boat had boarded first and because the *Benediction* had no letter of marque. The parties agreed to the arbitration of four men. After hearing the two captains and the two masters and debating the issues for two hours, the arbitrators decided that the *Benediction* had not broken the consortship and ordered that she should have her prizes man for man and ton for ton. Calvert's two arbitrators signed and sealed the award, but the other two refused on frivolous grounds. Calvert, claiming a loss of almost £2000 from his efforts in the entire episode from the appearance of de la Rade to the safe arrival of the prizes in England, wanted his part according to the consortship and requested a letter of marque or some other authority from the privy council which would entitle him to his share.⁵⁰

Calvert's satisfaction came in the form of a loan of one of the six prize ships. The privy council advised or determined upon this course of action before December 13, 1628, and the late lord admiral's secretary drafted a warrant for a

25, 1628, George Calvert, Lord Baltimore, to King Charles I; Ferryland, August 25, 1628, George Calvert, Lord Baltimore, to Duke of Buckingham; Scharf, *History of Maryland*, 1: 42-43. Only in the calendar of the letter to the King is there a reference to seven prize ships; elsewhere the number is given as six. Note that Calvert's great ship, initially reported as 300 tons, is said to be 360 tons. 50. CO 1/4/63, 64, fols. 151 and v, 153-154, and also calendared in *CSPCA, 1574-1660*, p. 95: 1628? “State of the case. . . .”

privy seal to deliver a ship to be lent for twelve months.⁵¹ Having returned to England, William Peaseley, on behalf of his father-in-law, asked that the *St. Claude* be substituted for the *Esperance* as the loan ship.⁵² The bureaucratic mill ground slowly; it was March 3, 1629, before a warrant for issuing letters of marque was granted to Leonard Calvert, oddly enough, as owner and captain or master of the *St. Claude* of London, a ship of three hundred tons.⁵³ The letters of marque themselves may have taken longer to get.

If Calvert had not had enough difficulties in the summer of 1628, others came as well. Erasmus Stourton, "late preacher" at Ferryland and chaplain to Christopher Villiers, Earl of Anglesey, Buckingham's brother, who left the colony on August 26, 1628, on board the *Victory*, clearly was no Erasmian humanist in his opinions. He made a deposition at Plymouth that the two seminary priests, Longvyll and Anthony Smith, had gone to Newfoundland with Calvert in 1627, that Calvert took Longvyll back to England with him but returned in 1628 with Hacket, a priest, and about forty Papists. Not only, said Stourton, was Mass celebrated every Sunday and all the ceremonies of the Church of Rome observed "in as ample manner as tis used in Spayne"; but also the child of William Pool, a Protestant, had been baptized into the Church of Rome, contrary to the father's will.⁵⁴ Although one might wish a full response to these charges, Calvert wrote quite generally to the king:

Such a one is that audacious man, who being banished the Colony for his misdeedes, did the last wynter, (as I vnderstand) raised a false and slanderous report of me at Plymmouth, which comming from thence to yo^r Ma^{ty} knowledge, yo^w were pleased to referre to some of my Lords of the Counsell, by whose hon^{ble} hands (for avoyding the ill manners of drawing this letter to too much length) I haue presumed to returne my iust and trew Apologie to yo^r Ma^{ty} . . .

Calvert relied on the king's judgment and justice to clear him of the charges brought against him in England.⁵⁵ In a personal letter to a friend he spoke harshly of "that knave Stourton" but neither letter gave details about the knavery nor answered the accusations.⁵⁶

Far more serious than all these alarms for Calvert's plantation was one over which man had no control—the weather and the accompanying dearth and disease. Calvert made suit to the privy council for license to buy and transport

51. CO 1/4/60, fols. 146, 147^v, and also calendared in *CSPCA, 1574-1660*, p. 94: December 13, 1628, Sir Francis Cottington to Sir Richard Weston; CO 1/4/60 [draft written inside previous letter], fol. 147, and also calendared in *CSPCA, 1574-1660*, p. 95: [December] 1628, "Warrant for privy seal. . ."

52. CO 1/4/61, fol. 148, and also calendared in *CSPCA, 1574-1660*, p. 94: December? 1628.

53. Great Britain, Public Record Office, *Calendar of State Papers, Domestic Series, 1629-1631*, p. 152.

54. CO 1/4/59, fol. 144, and also calendared in *CSPCA, 1574-1660*, p. 94: October 9, 1628, "Examination of Erasmus Stourton. . ." *Dictionary of National Biography*, s.v. "Calvert, George."

55. CO 1/4/27, fol. 75^v, and also calendared in *CSPCA, 1574-1660*, pp. 100-101: Ferryland, August 19, 1629, George Calvert, Lord Baltimore, to King Charles I; Scharf, *History of Maryland*, 1: 44.

56. George Calvert, Lord Baltimore, [probably to Sir Francis Cottington], Ferryland, August 18, 1629, in Lawrence C. Wroth, "Tobacco or Codfish: Lord Baltimore Makes His Choice," *Bulletin of the New York Public Library* 58 (November 1954): 523-34, esp. 527 and n. 12. A favorable view of Stourton appeared in Robert Hayman, *Quodlibets, Lately come over from New Britaniola, Old Newfoundland* (London: Printed by Elizabeth All—de, for Roger Michell, et al., 1628), p. 37, no. 102, where he is saluted as apostle of the North.

"14 Lasts of Wheate and the lyke quantitie of Maulte, for the Releefe of those of the Plantation" since there was a great "scarsetie of corne" in Newfoundland and a great plenty in England. The council granted the license, but in strait terms, since the payment of customs and duties was required and security demanded that the grain would be used for the plantation.⁵⁷ It is easy to imagine why Calvert's East Indian Company stock was sold in the month following this plea.

By the time that Calvert wrote to King Charles on August 19, 1629, he was defeated and prepared to change his immediate objectives, if not his long-term goal as an adventurer and planter. After profuse thanks to the king for the loan of "a faire shipp" and for the protection which Charles had given him "against calumny and malice," in which he included Stourton's allegations, Calvert explained

For here, yo^r Ma^{ty} may please to vnderstand, that I haue fownd by too deare bought experience, w^{ch} other men for their private interests always concealed from me, that from the middest of October, to the middest of May there is a sadd face of wynter vpon all this land. . .

with land and sea frozen, no vegetation, no fish in the sea, "besides the ayre so intolerable cold as it is hardly to be endured. . . ." The cruel weather and too much salted meat, he declared, had transformed his house into a hospital all the past winter. With one hundred persons in the wintering party, fifty were sick, including Calvert himself, and nine or ten dead. Yet, though strongly tempted "to leave all proceeding in plantations," he later had recovered his inclination "with other good subjects, to further, the best I may, the enlarging yo^r ma^{ty}'s empire in this part of the world. . . ." He resolved to commit his province of Avalon to "fishermen that are able to encounter stormes and hard weather," and to betake himself and some forty persons to Virginia where he hoped for "a precinct of land with such privileges" as King James I had given him in Newfoundland.⁵⁸

To a friend he unburdened himself of the "crosses and miseryes" which had been his portion; he was "overwhelmed with troubles and cares as I am forced to write but short and confusedly. . . ." He sent his children home "after much sufferance in this wofull country, where w[i]th one intolerable wynter were we almost undone. . . ." He intended to go to Virginia "where I hope to lay my bones I know not how soone," and in the meantime to serve king and country by planting tobacco. He mentioned his desire for a grant of "some good large Territory" on terms like those granted him "in this unfortunate place."⁵⁹

57. Great Britain, Privy Council, *Acts of the Privy Council of England, Colonial Series*, 1: 133-34: Whitehall, February 25, 1629. A last of grain is 80 bushels in English measure.

58. CO 1/5/27, fol. 75-76, and also calendared in *CSPCA, 1574-1660*, pp. 100-101, and quoted in Scharf, *History of Maryland*, 1: 44-45; Ferryland, August 19, 1629, George Calvert, Lord Baltimore, to King Charles I. Although Calvert did not say so, the principal disease was doubtless scurvy, as it had been with the Cupids Cove colony in the winter of 1612-13. See above, p. 5, and also Sir William Vaughan, *The Newlanders Cure* (London: Printed by N.O. for F. Constable, et al., 1630), pp. 67-69.

59. George Calvert, Lord Baltimore, [probably to Sir Francis Cottington], Ferryland, August 18, 1629, in Wroth, "Tobacco or Codfish," pp. 525-27 and n. 5. Wroth argues the case for Cottington as the

The king's reply to Calvert's letter may not have reached him until his return to England. In a most friendly manner Charles urged him to abandon his efforts since

men of yo^r condition and breeding are fitter for other employments, then the framing of new plantations, Which commonly haue rugged & laborious beginnings, and require much greater meanes in managing them, then vsually the power of One priuate subject can react vnto, . . .

The king assured Calvert of the liberty of a subject, a matter for some doubt in 1629, and the respect due him for his "former seruices and late indeauo^{rs}."⁶⁰

Calvert, however, had long since left Newfoundland before the king's letter had been written, let alone received. The question would remain to reverberate through the royal court and the courts of law whether Calvert had abandoned his plantation, which would have allowed the crown to regrant his lands as it did, or had merely left his colony with his authority delegated to others. That legal question is immaterial to this discussion, since the Calverts had little further practical power in Newfoundland and their concerns had turned from the codfish banks to the tobacco-growing banks of the Chesapeake.

Calvert reached Virginia about the beginning of October 1629, intending to make his residence to the south of the existing colony, but being "well affected," he desired to settle there with his whole family. John Pott, the governor, and several other councillors tendered Calvert and some of his followers the oaths of supremacy and allegiance, which they refused on the grounds of their Roman Catholicism, since the oaths had clauses offensive to their religious profession. Calvert proposed to take an oath of his own devising, but the Virginians refused to accept that on the argument that the prescribed form had been so strictly required and ably defended by King James I in the controversial literature. They praised their existing right to enjoy "the freedom of our Religion" and prayed the continued exclusion of Papists from the colony.⁶¹

Calvert's unceremonious departure from Virginia followed. One Thomas Tindall shortly thereafter was sentenced to be put in the pillory for two hours "for

recipient of this letter several ways: A reference to the recipient as having recently become a privy councillor, points to two of Calvert's friends, Cottington and Wentworth; but the latter could not have been the recipient because of the evidence of the letter itself. Calvert's request for furtherance of a new grant and for care of his children upon their return to England also points to Cottington.

60. CO 1/5/39, fols. 99, 100^r, and also calendared in *CSPCA, 1574-1660*, p. 104: Whitehall, November 22, 1629, King Charles I to George Calvert, Lord Baltimore; Scharf, *History of Maryland*, 1: 45-46. Apparently the earl marshal, Thomas Howard, Earl of Arundel, and the lord president of the North, Thomas, Viscount Wentworth, were instrumental in getting this gracious reply from the King.

61. CO 1/5/40, fols. 101, 102^r, and also calendared in *CSPCA, 1574-1660*, p. 104: John Pott, Sam[uel] Mathew[s], Roger Smith, and W[illiam] Cla[i]borne to the Privy Council; Scharf, *History of Maryland*, 1: 45-47. A lengthy discussion of the legality of tendering the oaths occurs in John Leeds Bozman, *The History of Maryland*, 2 vols. (Spartansburg, S.C., 1968 [orig. ed., 1837]), 1: 255-58, in which the assembly, not the colonial council, is said to have acted. Dr. John Pott, probably still governor, as Sir John Harvey became active only from March 4, 1629 [probably meaning 1630, N.S.], was not without his own troubles. Pott was indicted, arraigned, and convicted of stealing cattle, [July 9-10, 1630] (William Walter Hening, ed., *The Statutes at Large; . . . Virginia*, 8 vols. (New York, 1810-23), 1: 4, 137, 145.

giving my L'd Baltimore the lye & threatning to knock him down."⁶² Calvert's wife quite probably departed from Virginia later, and she has been supposed to have died at sea.⁶³

Calvert spend the two years which remained to him in England endeavoring to get the charter for a new colony. His son's charter for Maryland was the result. He also became embroiled in the dispute over whether the Roman Catholic vicar apostolic for England should or should not have the authority of an ordinary or diocesan bishop. The secular priests tended to want the authority to be granted to an ordinary by the Pope: the regular clergy, particularly the Jesuits, whom Calvert supported, preferred the authority of the generals and provincials of their orders to remain strong. Calvert fell under a cloud, accused perhaps unjustly of trying in an unprincipled manner to rid himself of a third wife, a maid of one of his daughters. Calvert is said to have argued that he and the maid could not have contracted a valid marriage since they were considered by the old canon law to have a spiritual relationship which precluded marriage because his first wife had been the maid's godmother.

What motivated his efforts, how had he done it, and what had the grim teacher Experience taught him? Among the several impulses of colonization—God, Gold, and Glory—Calvert's earliest motives were more nearly equal than much opinion has proposed. Gold and Glory continued to have a place in his reckoning after the godly motive had begun to predominate. The campaign against the French marauders showed the difficulty of achieving Glory without great pains. The whole history of Newfoundland planting in this period demonstrated the elusiveness of Gold. Before the failure of the negotiations for the Spanish Match, when toleration at home appeared a reasonable expectation, and before the collapse of Calvert's political career, the notion of a Catholic haven in the New World could have had little attraction for the king's principal secretary of state. Later, the endeavor, if such it was, to serve God by providing a sanctuary for Catholics seemed to expose him to the allegations of Stourton and the rebuff of the Virginians. Indeed, these unhappy experiences may help to explain the caution of the Second Lord Baltimore about religious matters in the Maryland

62. "Extracts from Minutes of the Proceedings of the Governor and Council of Virginia," March 25, 1630 [From a MS belonging to Thomas Jefferson], *ibid.*, 1: 552.

63. CO 1/4/62, fol. 150 and v, and also calendared in *CSPCA, 1574-1660*, p. 95. The compiler of the calendar dated this petition [December] 1628 presumably on the strength of the request for a privy seal for the loan of the *St. Claude* for six months. Scharf, *History of Maryland*, 1: 49-50, following Edward D. Neill, *The Founders of Maryland* (Albany, 1876), p. 49, proposes the date December 1629. This or a somewhat later date in early 1630 might be a reasonable assumption because in that period Calvert might have applied for a further six-months loan of the ship; he might have renewed, as in this petition, his request for a grant of land in Virginia, which he had made for the first time on August 18, 1629; and he might have requested, again as in this petition, a letter from the privy council to the governor of Virginia to assist his wife in getting passage back to England and other help for her departure from the colony. The only doubt is the one about where Calvert was at the time of the petition, since his concern about his wife suggests but does not establish that he had already left Virginia. The questions of when Joan, Lady Baltimore, who is not mentioned in her husband's letters of August 18, 1629, left Newfoundland, when she left Virginia, and what sort of end she met on her passage towards England are essentially antiquarian mysteries, for which the materials for a conjecture are in Wroth, "Tobacco or Codfish," p. 527 and n. 5.

colony. It is difficult to propose a pedigree of Roman Catholic interest in the New World from Thomas More to George Calvert.⁶⁴ Although the individual expressions of interest are there, one cannot now trace Calvert's own involvement specifically to the stimulus of a long religious or intellectual quest.

The means, particularly the financial means, which made possible his enterprise are perhaps hardest of all to determine. His most obvious sources consisted of the profits of public office, including the silk-farm patent, Spanish gifts, and the sale of the secretaryship; his first wife's fortune and the means of her relations, including her brother, George Mynne; and the advances of moneylenders such as Burlamachi. None of these seems to explain the £20,000 to £30,000 which the Newfoundland plantation has been estimated to have cost.⁶⁵ Where could a man of Calvert's means have raised such a sum? Either the estimates are wildly high or there remains much more work to uncover his sources of income and credit.

Calvert learned much about the practical difficulties of colonization. He learned not to trust agents who praised their own efforts and concealed the realistic problems which confronted the adventurer and planter. He learned the frightening cost that weather, dearth, and disease could take upon colonizing efforts. He faced the threats of internal fraction and external enmity and had been forced to bend before them. Yet his cruel apprenticeship left him determined in the face of failure to begin again. These lessons he imparted to his son and heir.

Calvert made mistakes, he failed, he may not have been fully consistent in his purpose, he was in every sense a frail human. Yet he emerged from the test of resolution as a figure of stature, although not the plaster saint of hagiography. No other man of state of his generation threw himself so energetically into the colonial enterprise. It remains an astonishing performance, not begun until about the age of forty, disastrous at forty-nine, and resumed with energy on the morrow of defeat.

64. For examples of this interest see Cell, *English Enterprise*, pp. 22, 38; *Dictionary of National Biography*, s.v. "Rastell, John"; Maurus Lunn, O. S. B., "Chaplains to the English Regiment in Spanish Flanders, 1605-06," *Recusant History* 11 (October 1971): 139 and n. 37.

65. Gillian M. [T.] Cell, "The English in Newfoundland, 1577-1660," (Ph.D. dissertation, University of Liverpool, 1964), pp. 208-209, cited in Rabb, *Enterprise and Empire*, p. 58; Cell, *English Enterprise*, p. 95; CO 1/14/9, calendared in *CSPCA, 1574-1660*, p. 481, which put the figure above £30,000.

Free Blacks in Seventeenth-Century Maryland

ROSS M. KIMMEL

THE LEGAL STATUS OF BLACKS IN SEVENTEENTH-CENTURY AMERICA IS AN IMPORTANT topic and yet a difficult one to deal with due to a seeming scarcity of evidence. The laws of the colonial period bearing upon blacks established an equation between blackness and slavery and thus implied that there were no such beings as free blacks. In fact, free blacks did exist in appreciable numbers. The best way to identify who they were and determine something about their places in society is to delve into the records of colonial courts of law.

Historians have largely overlooked colonial court records as sources for many facets of social history. They have done so because only a tiny fraction of the records are published. The vast majority are available only in manuscript, and historians have shown a lamentable reluctance to tackle those manuscripts.¹ Like other states, Maryland has only a very small portion of her colonial court records in print. The Provincial Court records are published through the mid 1680s in the *Archives of Maryland*.² A representative sample of county court records has also been published in the *Archives*.³ The first few years of Prince George's County's records are published in *American Legal Records*,⁴ as are three and a half decades of Maryland Appeals Court records.⁵

Historians who have written recently about the status of blacks in early Maryland have limited themselves to these few published records.⁶ The published records, however, are only the tip of the iceberg. Roughly speaking, only

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1. Two recent articles in black history may be cited as important exceptions: Warren M. Billings, "The Cases of Fernando and Elizabeth Key: A Note on the Status of Blacks in Seventeenth-Century Virginia," *William and Mary Quarterly*, 3rd ser., 30 (1973): 468-74; Robert C. Twombly and Robert H. Moore, "Black Puritan: The Negro in Seventeenth-Century Massachusetts," *ibid.*, 24 (1967): 224-42.

2. Ed. William Hand Brown, *et al.*, 68 vols. (Baltimore, 1883—), vols. 4, 10, 41, 49, 57, 65, 66, 67, 68, 69, 70.

3. *Ibid.*, vols. 53, 60.

4. Vol. 9, Joseph H. Smith and Philip A. Crowl, eds., *Court Records of Prince Georges County, Maryland, 1696-99* (Washington, D.C., 1964).

5. Vol. 1, Carroll T. Bond, ed., *Proceedings of the Maryland Court of Appeals, 1695-1729* (Washington, D.C., 1933).

6. Winthrop D. Jordan, *White over Black: American Attitudes toward the Negro, 1550-1812* (Chapel Hill, 1968), pp. 71-82; Jonathan Alpert, "The Origins of Slavery in the United States—The Maryland Precedent," *The American Journal of Legal History*, 14 (1970): 189-221; Raphael Cassimere, "The Origins and Early Development of Slavery in Maryland, 1633 to 1715" (Ph.D. dissertation, Lehigh University, 1971).

5 percent of Maryland's colonial court records are available in print (about 25 manuscript volumes published out of a total of 500). One might fairly assume, then, that a motherlode of information lies unmined deep within the bowels of the Maryland Hall of Records. Indeed, such is the case.

The best population figures available for Maryland at about the turn of the eighteenth century (1710) indicate that there were 34,796 whites and 7,945 blacks in the colony, a ratio of roughly 4.4 : 1.⁷ How many of the blacks were free is impossible to determine, but there were probably very few. The first major slave law in Maryland, passed in 1664, gave statutory status to the presumption that all blacks in the colony were slaves.⁸ Moreover, there is convincing evidence that *de facto* black slavery predated the 1664 law by at least twenty years.⁹ Nevertheless, there were free blacks in seventeenth-century Maryland, and some of them came before the courts at various times and thus left at least a meager record of lives that would otherwise have been lost to history.

Of some we have only fleeting glimpses. Robert Butchery, a free black, was fined 500 pounds of tobacco by the Dorchester justices in 1690 for fathering the bastard child of a white servant girl. The same justices later ordered Butchery to compensate the girl's master with an additional 800 pounds.¹⁰ That is all we know of Butchery. The fact that the court considered him competent to assume debts totaling 1,300 pounds of tobacco in two months' time indicates that he was a man with some sort of regular livelihood. Had he committed his crime two years later, however, he would have become a slave by terms of a 1692 law.¹¹

Similar to the Butchery case is the case of "Grinedge" (Greenwich?), who is identified as "formerly [the] Negroe of Thomas Marsh" and as a resident of Kent Island. In 1699 the Talbot justices heard a case in which Grinedge was tried for cohabitation with a white woman named Jane Shore. The jury acquitted the defendant. Significantly, Grinedge had been able to post 2000 pounds of tobacco, with another 1000 posted by a white man, as security for his appearance. He was also able to pay the cost of suit and thus avoided the incarceration that befell those who could not afford to pay the expenses of their trials.¹²

John Covey, also known as John Cane, was another free black in seventeenth-century Maryland whose one or two brushes with the law have bequeathed to us an impressionistic view of his position in society. Specifically, Covey is in one place identified as the holder of an unspecified amount of property. In another instance, he is mentioned as a declared outlaw.¹³ Thomas Hagleton and Ralph Trunckett were slaves who gained their freedom through petitions to the

7. *Archives of Maryland*, 25:256-59.

8. *Ibid.*, 1:533-34.

9. Ross M. Kimmel, "The Negro before the Law in Seventeenth Century Maryland" (Masters thesis, University of Maryland, 1971), pp. 25-33.

10. Dorchester County Court Proceedings, 1690-92, in Dorchester County Land Record, Liber 4-½, pp. 176, 165, 157, 156 (pagination, added later, runs counter to the record's chronological progression), Maryland Hall of Records (MdHR).

11. *Archives of Maryland*, 13:546-49.

12. Talbot County Judgments, 1691-1698, in Talbot County Land Record, Liber A.B. #8, pt. 2, p. 524. Talbot County Judgments, Liber M. W. #1, p. 49 (second run of numbered pages), MdHR.

13. Provincial Court Judgments, Liber T.L. #1 (May 1694), 67. Maryland Testamentary Proceedings, Liber 17, 210-17, MdHR.

Provincial Court. Hagleton continued using the court to sue his former master for freedom dues and back wages for the period during which he was unlawfully detained.¹⁴ But their full stories will be reserved for another time.

The one thing all these black men had in common, insofar as we can judge by the scanty record, is this: having rid themselves of the taint of slavery, they seem to have been treated with the same judicial deference due white English freemen. Here, then, is the central question regarding the free Negro: Did his black skin in any way compromise his liberties and privileges as a free man?

There was little explicit legislative proscription of the free black's personal rights and liberties in seventeenth-century Maryland. A militia law of 1678 declared that "all negroes and Slaves whatsoever shall be Exempted [from] the duty of Training or any other Military service." Another law, passed in 1692, directed that free blacks who fathered mulatto bastards were to become slaves, but this provision was altered in 1699 to seven years' servitude.¹⁵ Exclusion of blacks from militia training probably reflects apprehension on the part of whites about possible black revolt. But to the black so excluded, it may have been a welcomed respite from a chore that most freemen found onerous anyway.

While there was little explicit proscription of the rights of free blacks, neither was there any explicit legislative guarantee to protect any rights they may have had. Since blackness and slavery often meant the same thing in both the law and the minds of most people, the free black found himself treading precariously in a legal limbo. His best defense was to establish his cultural identity as an Englishman. Thus Hagleton, Trunckett, and other freedom petitioners cited either their English backgrounds, their proficiency with the English language, or their Christianity to bolster their claims to freedom. Even though these attributes were insufficient grounds for freedom under the law, the individuals who cited them in arguing their cases certainly felt that something was to be gained by demonstrating the degree to which they were Anglicized and Christianized.

Free blacks were presumed slaves unless they could prove that they were not. In 1688 Sarah Driggers "and the rest [,] all Negroes" (four women and an unspecified number of men) asked the Somerset County Court to stop taxing them at the legal rate for slaves since they were all freeborn. The court ruled that if they could produce certificates from the parishes in which they were born attesting to their free births and their Christianity, it would cease taxing the women immediately and the men the following year.¹⁶ This incident illustrates

14. *Archives of Maryland*, 7:56, 13:546-9, 22:546-53.

15. *Ibid.*, 13:546-49.

16. Somerset County Judicial Record, 1687-1689, 58, MdHR. Sarah Driggers may well have been related by blood or marriage to two Negroes who resided earlier on Virginia's eastern shore. The first was a free Negro servant named Immanuel Driggs who sold some young black slaves to a white man in mid century. The other was a slave named Thomas Driggers who ran afoul of the law in 1668. His masters complained to the Northampton County, Virginia, court that he "hath neglected [their] service," and three free blacks and a white woman complained that he "very Greatly abused them." For his offenses, the court ordered Driggers lashed twenty times. Shortly thereafter, John Franciscoe, one of the free blacks whom Driggers had abused, petitioned the same court to award him, for some unclear reason, possession of Driggers' child. Driggers' masters were agreeable to that arrangement, and the court so ordered with the stipulation that the child should go free at age twenty-one. Perhaps

the presumption that blackness denoted slavery and that the burden of proof to the contrary rested with the black. It also points out that despite the law, baptism was still a distinguishing factor in deciding whether a person was a slave or a freeman.

It is perhaps significant that all free Negroes who surface in the judicial records, other than those who came to court initially as servants to petition for their freedom, were from counties on the Eastern Shore. Grinedge, Robert Butchery, and Jack Covey were Eastern Shore Negroes. So were Sarah Driggers and her friends. This seeming geographical concentration may be an illusion conjured by the slightly better survival rate of Eastern Shore judicial records. But it might also be an inverse confirmation of Philip Payne's observation that slavery, by the last quarter of the seventeenth century, was concentrated on the western shore.¹⁷ That is to say, it may indicate that the free black population during the same period was concentrated on the Eastern Shore. The cases cited by Warren Billings in his study of the antecedents of Bacon's Rebellion indicate a sizeable free Negro population on Virginia's eastern shore by mid century, and, in the Driggers case, offers evidence that some Virginia free blacks moved north to Maryland shortly thereafter, perhaps as part of the general migration from Virginia's eastern shore in the 1660s.¹⁸

In this migration to Maryland came the Johnsons, a family of free blacks about whom an unusually voluminous body of records has survived. It is possible to trace the family's history from its first years in America to its apparent dying out sometime in the late seventeenth century. The Johnsons offer a rare opportunity to investigate many facets of the condition of free Negroes in early Chesapeake society.

The progenitors of the Johnsons in America were Anthony and Mary, Africans who came to Virginia as term servants very early, perhaps with the original "twenty negars" recorded by John Rolfe in 1619. By the mid 1620s, they were free residents of Accomack (later Northampton) County on Virginia's eastern shore. By the middle of the century they owned 250 acres of land and at least one servant or slave, John Castor. Castor lost a freedom suit against Anthony in 1640 and remained in service for many years afterward, apparently a servant for life. By the 1650s the Johnsons also had two grown sons, John and Richard, whose

Sarah was that child. See Jennings C. Wise, *Ye Kingdome of Accawmacke: Or the Eastern Shore of Virginia in the Seventeenth Century* (Richmond, 1911), p. 287; and Northampton County Order Book #9 (1664-1674), folios 52-53, Virginia State Library, Richmond, Virginia (VSL); record available on microfilm via inter-library loan. Warren M. Billings, in his "'Virginia's Deploured Condition,' 1670-1676: The Coming of Bacon's Rebellion" (Ph.D. dissertation, Northern Illinois University, 1968), pp. 139-40, n. 6, identified the Driggers cases and several others involving both free blacks and slaves.

17. Philip M. Payne, "Slaveholding and Indentured Servitude in Seventeenth Century Maryland, 1674-1699" (Masters thesis, University of Maryland, 1968), pp. 76-81.

18. By the middle of the seventeenth-century, large numbers of eastern shore Virginians had migrated northward into territory which the Calvert family claimed as part of their proprietary grant. To complicate matters, the Virginians refused to patent their land claims under Baltimore authority and, instead, patented it under authority from Jamestown. To settle the matter, Cecil Calvert established Somerset County in 1666 at what he considered the southern-most region of the eastern shore belonging to him. A great many of the settlers there had come from Virginia, but were made denizens of Maryland by Calvert's action. See Clayton Torrence, *Old Somerset on the Eastern Shore of Maryland* (Baltimore, 1966; orig. ed., 1933), pp. 9-11, 16-17.

names appear in land transactions at the time. In 1652 the county court excused the Johnsons from that year's tax levy due to losses they had suffered as a result of a fire.¹⁹

The Johnsons immigrated to Somerset County on Maryland's Eastern Shore in the early or mid 1660s, evidently as retainers to two whites, Randall Revel and Ann Toft. In 1665 Revel and Toft claimed 2,350 acres of land in Somerset for importing a number of people, among whom were Anthony and Mary Johnson, their servant John Castor (identified as John Cassaugh in the record), and John Johnson and his wife, Susan or Susanna.²⁰ Once in Maryland, the Johnsons quickly resumed the community stature they had held in Virginia. In 1666 Anthony leased a 300-acre lot, "Tonies Vinyard," from Steven Horsey, a white, for two hundred years at the annual rate of one peppercorn and responsibility for paying Proprietary land taxes on the property. Anthony apparently died shortly thereafter and the lease was renegotiated for ninety-nine years to Mary with a provision that her sons, John and Richard, would assume it after her death. The rent was to be one ear of Indian corn per year.²¹

After Anthony's death, John emerged as head of the clan. Under his management, the Johnson fortunes continued to grow. In 1670 he and his son, also named John, recorded their livestock brand in the county records,²² and in 1677 the younger John bought a forty-four acre lot which he named "Angola,"²³ perhaps out of a sense of family heritage. Even the family's old servant was permitted to possess property. In 1672 "John Cazara Negro servant to Mary Johnson Negro" recorded his livestock brand "With the Said Marys Consent."²⁴

In 1672 Mary made known what she wanted done with her estate after she died. She declared that her son John would have full power of attorney over her property and authorized him to sue for some debts she had outstanding in Virginia. John Castor's name appeared as witness to the document. Mary also filed a brief will in which she devised three cows with calves to three of her grandchildren, Anthony (the elder John's second son), and Francis and Richard (sons of Richard). Both documents were signed, sealed, and recorded in the customary fashion.²⁵

Of all the Johnsons, the elder John's life is the best documented. Proprietor of considerable land, he seems to have attained the status of any freeman possessed of a substantial estate. In one instance he was identified with the term "planter" after his name and race.²⁶ Like many of his fellow planters, he not only had to

19. The Johnsons' family history in Virginia was culled from the following authorities: T.R. Davis, "Negro Servitude in the United States," *The Journal of Negro History*, 8 (1923): 259, 278; John H. Russell, "Colored Freemen as Slave Owners in Virginia," *The Journal of Negro History*, 1 (1916): 234-37; Torrence, *Old Somerset*, pp. 75-76. William J. Wood, "Illegal Beginning of American Negro Slavery," *Journal of American Bar Association*, 56 (1970): 48.

20. Maryland Provincial Patents, Liber 8, 495-96, MdHR.

21. Somerset County Land Deeds, Liber 0-1, 32-33, 20-21, MdHR.

22. *Archives of Maryland*, 54:759.

23. Maryland Provincial Patents, Liber 20, 224-25, MdHR.

24. *Archives of Maryland*, 54:760.

25. Somerset County Judicial Record, 1671-1675, 159-61, MdHR.

26. *Ibid.*, 457. There was at least one white man named John Johnson residing in Somerset County at the same time.

recover debts outstanding, but was himself plagued by a creditor. On a number of occasions his original importer, Randall Revel, brought suit against Johnson to recover minor debts. In a society where suits for debts were as much a way of life as they were in colonial Maryland, nothing is unusual in the Revel-Johnson cases—and therein lies their significance. The debts never amounted to more than 700 pounds of tobacco, and Johnson was one of the many lesser planters whom Revel constantly sued for debts.²⁷

Like other members of the community, Johnson was occasionally called to court to testify in civil suits. In 1670 his creditor, Revel, brought suit against Richard Ackworth over a land boundary dispute. Ackworth had cut timber on land which Revel claimed was his as part of the headrights given to him and Ann Toft for importing, among others, the Johnsons. Both Revel and Ackworth called numerous witnesses to the stand. One of Ackworth's witnesses was John Johnson, Negro. The justices balked at admitting Johnson's testimony. They were evidently hesitant to allow a black to testify in a case involving whites.²⁸ Before they would admit Johnson's testimony, the justices asked him if he were baptized, to which he answered he was. Thereupon, they asked him if he "did rightly understand the taking of an Oath," to which Johnson "gave them a satisfactory answer." The justices were satisfied and let Johnson testify.²⁹ Ackworth won the case. That and the fact Ackworth solicited Johnson's testimony would indicate, despite what reservations the justices might have had, there was little doubt in people's minds that a black man's word could hold up in court. In 1676 Johnson testified in a case over livestock ownership. Again the party on whose behalf he testified won the case. Not long after that, Johnson's name appears as witness to two deeds sworn out by a white man.³⁰

In addition to his appearances in court to answer in civil suits and to testify, John Johnson appeared at least twice on criminal charges, once before he left Virginia and the second time in Maryland. Just before the Johnson family came to Maryland, John's wife, Susanna, appealed to the Accomack County Court to release her husband from custody on a charge of fathering a bastard. The court agreed, provided Johnson posted security for his good behavior and agreed to support the child, conditions which he was apparently able to satisfy.³¹ After he came to Maryland, Johnson got himself in trouble along with two white men for stealing corn from an Indian. The three culprits confessed and the Somerset justices ordered them to simply repay the value of the corn.³² Had their crime

27. *Archives of Maryland*, 54:675 (1667). Somerset County Judicial Record, 1670-1675, 205 (1671), MdHR; Somerset County Judicial Record, 1671-1675, 41, 260, 267-68 (1673), MdHR; Somerset County Judicial Record, 1671-1675, 429, 457 (1674-1675), MdHR.

28. There is no other record of a Negro or slave testifying in legal cases other than on his own behalf, or in one case against Indians (*Archives of Maryland*, 10:293-96). On the basis of at least one incident, and perhaps two others, it appears that unfree blacks and mulattoes were not permitted to testify against whites. See Charles County Court Proceedings, Liber Y #1 (1699/1700-1701/02), 178, MdHR; *Archives of Maryland*, 53:626; Provincial Court Judgments, Liber DS #C (1692-1693), 46, MdHR. The earliest Maryland law which specifically excluded black testimony against whites dates from 1717. See *Archives of Maryland*, 33:111-13.

29. Somerset County Judicial Record, 1670-1671, 10, 15, MdHR.

30. Somerset County Judicial Record, 1675-1677, 47, 78, MdHR.

31. Accomack County Deeds and Wills, 1663-1666, 92, VSL.

32. *Archives of Maryland*, 54:707, 712.

been against a white man, they would have had to restore four-fold the value of the corn. In neither case did Johnson get unusual treatment due to his blackness.

Another Johnson about whom information has survived is the elder John's nephew, Francis, son of the elder Richard. In November 1673 Francis signed a three-year indenture of apprenticeship to George Phebus, a cooper, for the express purpose of learning the trade of barrel making. Four months later Phebus came before the Somerset Court to complain that Francis, his "servant," had yet to begin serving his term. Presenting the contract as evidence, Phebus won a court order requiring Francis to submit to the terms of the indenture.³³

The ultimate fate of the Johnson family is a mystery. Following an eight-year period (1678-86) during which Somerset court records are very incomplete, the Johnsons dropped out of sight. The last mention of them appears in a land record of 1706 concerning the younger John's small tract "Angola." "No heirs as I understand," remarked an official, "Escheat to his Lordship."³⁴ With that brief epitaph, the Johnsons fade into oblivion.

While the circumstances of their demise might reveal more about the condition of free blacks in seventeenth-century Maryland, we are indeed fortunate to know as much as we do. From the available record, the Johnsons were not much different from their fellow planters. They held land, paid taxes, and had access to the legal system. They could sign legal documents of their own, be witnesses to the documents of others, and could transact freely with white planters. They not only borrowed money, but extended credit to others as well. When subject to legal decisions, they were treated with no apparent discrimination. While they were excluded from militia duties, there is no hard evidence as to whether they were also excluded from other areas of civic responsibility such as voting and serving on juries.³⁵ Without this information, we cannot fully assess the legal status of the Johnsons and other free blacks. But on the basis of what is available concerning them, it can be said that there appears to have been little, if any, perceptible legal proscription of the rights and privileges of free blacks as freemen in seventeenth-century Maryland.

33. Somerset County Judicial Record, 1671-1675, 336-37, MdHR.

34. Maryland Provincial Rent Roll, vol. I #1 (Somerset and Dorchester Counties), 34, MdHR.

35. The name John Johnson appears frequently in jury lists for Somerset County. But there is no indication that this is not the white John Johnson being referred to.

William Alexander: A Commission Merchant in a New Role, 1837-43

KATHERINE A. HARVEY

THE EIGHTEENTH-CENTURY FORERUNNERS OF COMMISSION MERCHANTS WERE THE mercantile agents, or factors, who made their living by serving the great planters of the South. Based in American seaports or in London, they periodically received lists of their principals' wants, and set out to satisfy them. They visited manufacturers, exporters, and importers, consulted with craftsmen, and ultimately bought and shipped the variety of materials needed on the plantations. In addition, they rendered more personal favors, perhaps arranging for the employment of a suitable tutor or governess, or, in the case of London agents, acting as bankers for sons being educated in English universities. Most important of all, the factors arranged for the sale of the crops—especially tobacco—which their clients grew in the colonies. By the early nineteenth century the emphasis had shifted from tobacco to cotton, and the factors had extended their influence by becoming large-scale moneylenders.

In the United States the early nineteenth century also saw an increase in the number of merchants who sold some goods on their own account but who also bought and sold goods for other persons. Although they thus fell into the category of factors, they were more commonly known as commission merchants. One example in Baltimore of the 1830s was William Alexander. As a major part of the business which he carried on from his establishment near the waterfront, he searched out, purchased, and forwarded the materials needed at an isolated rural site. He executed diverse personal commissions, and although it is not clear to what extent he engaged in selling, he did receive and transfer the goods which his principal had for sale. What makes Alexander's business interesting is that, unlike the colonial factor, he acted not for an individual agriculturist, but for an industrial corporation.

William Alexander was the brother of John H. Alexander, president and co-founder of the George's Creek Coal and Iron Company, one of several corporations to which the Maryland legislature had granted charters permitting them to exploit the mineral resources of the state's western counties.¹ On its

Ms. Katherine A. Harvey resides in Silver Spring, Maryland.

1. See Katherine A. Harvey, *The Best-Dressed Miners* (Ithaca, 1969), p. 7-10, 375. The legislature passed an act of incorporation for the George's Creek Mining Co. on March 29, 1836 (*Md. Laws*, Dec.

lands at Lonaconing in the George's Creek valley southwest of Cumberland the company planned to mine ore and coal and to build ironworks which would be technologically as advanced as any then operating in England or Wales.² In the spring of 1837 the company began to build its blast furnace.³

In many ways the Appalachian coal and iron estates of the 1830s resembled the Virginia plantations of the 1760s.⁴ Self-sufficient in a few respects, both had to import foodstuffs, dry goods and clothing, tools, and building materials; both had to entrust their commissions and express their complaints to agents in distant cities. Since the George's Creek Coal and Iron Company maintained an office in Baltimore, it might be expected that an officer or employee would have acted as purchasing agent and attended to the other matters which fell within the purview of a factor. The fact is that the company, like many others of the period, was not structured as a modern corporation would be. Its founders' chief purpose in seeking a charter had been to allow them to raise capital by selling shares. The directors elected by the stockholders appear to have taken little part in the affairs of the company, which was managed largely by its president, J. H. Alexander, and its secretary-treasurer, Richard Wilson. The "office," merely an address, possibly employed not even a clerk.

It is true that the activities of the officers and those of the factor sometimes overlapped. John H. Alexander, who was a civil engineer, prepared drawings and specifications and placed the orders for machinery and castings needed in setting up the blast system for the iron furnace. Wilson, who held a second post as secretary of the American Life Insurance and Trust Company, from time to time bought materials and employed workmen for the George's Creek company. But it was the company agent who followed up the orders, purchased the bulk of the supplies for the ironworks, and saw to their forwarding.

Even if family ties had not been involved,⁵ the choice of agent was a logical one. William Alexander, who had several years' experience as a commission merchant in Baltimore, had a thorough knowledge of merchandise, acquaintance with suppliers, and everyday contact with wagoners. Furthermore, his business was ideally situated. Within walking distance of his shop at the corner of Pratt and Light streets were several hardware dealers and purveyors and auctioneers of all kinds of imported and domestic wearing apparel, yard goods, boots and shoes, fancy groceries, and wines. In this same vicinity some of the iron manufacturers

Sess. 1835, Ch. 328). An act of June 1, 1836 (*ibid.*, Ch. 382) changed the name to George's Creek Coal and Iron Co.

2. George's Creek Coal and Iron Co., *George's Creek Coal and Iron Co.* ([Baltimore], 1836), pp. 27-30.

3. The details of construction of the ironworks and the establishment of a town are set out in a two-volume journal (cited here as GCC & I Journal) kept by the company's superintendents. The writer has edited this privately-owned manuscript, which will be published by the American Philosophical Society under the title *The Lonaconing Journals*.

4. See Arthur C. Bining, *Pennsylvania Iron Manufacture in the Eighteenth Century*, 2d ed. (Harrisburg, 1973), Ch. II; and Joseph E. Walker, *Hopewell Village* (Philadelphia, 1966), pp. 466-68. On at least one occasion J. H. Alexander referred to the Lonaconing works as "the plantation" (GCC & I Journal, Oct. 6, 1838).

5. A third Alexander brother, Thomas, a prominent member of the Maryland legislature, handled the company's legal affairs.

had their warehouses, and merchants on the wharves handled a variety of heavy items which came in by water.⁶

The freight depot of the Baltimore and Ohio was near at hand, and the road connecting with the Frederick turnpike headed west only a few blocks north of the railroad line. Wagoners seeking loads for Wheeling or waystops on the National Road gathered in this area, where their favorite taverns were located.⁷ Wheelwrights and blacksmiths were nearby; neighborhood coopers and lumber dealers provided casks and boxes for packing; and casual labor was there for the hiring.

Having recently become sole proprietor of the former partnership of Welch and Alexander,⁸ William was able to concentrate his activities on serving his new client, and the fact that he was a stockholder in the coal and iron company added to his zeal in promoting its interests as well as his own. Initially the most important service which he could perform for the George's Creek company was to expedite delivery of the many tons of iron rods and girders, pipes, parts, and machinery necessary for construction of the blast furnace and blowing system.⁹ Late in November 1837 the company's steam engine, ordered from the West Point Foundry, arrived on board a vessel from New York. William Alexander immediately busied himself with hiring drays to bring the pieces to his premises, where he provided rope and lumber and engaged extra laborers to pack the machinery, have it weighed, and load it on the twelve wagons necessary to take it to Lonaconing.¹⁰ When special tools were urgently needed, William, who had been "after the man every day" to finish them, sent them by stage coach to avoid the delay of waiting for a wagon.¹¹ Throughout 1838 he nagged at the Baltimore founders to hurry the company's orders for pipes and fittings, and made inquiries preparatory to placing further orders.¹² He was equally assiduous in his pursuit of other building materials, having the city "hunted over . . . several times" for iron borings, an essential ingredient of the cement for the blast pipes, and sending "4 times to the Gas Light Compy" for coal tar to be used on the roofs of the store and the superintendent's house.¹³

During the early stages of construction at Lonaconing, William spent some time there setting up what was to become the company store, and it is evident

6. Adv. of Thomas Janvier in *Matchett's Baltimore Director*, 1837-1838 ed. (Baltimore, 1837), p. 30. The suppliers named in William Alexander's business papers (Welch and Alexander Record Books, MS. 889, Maryland Historical Society) were concentrated in an area bounded by Charles Street on the west, Jones Falls on the east, Baltimore Street to the north, and to the south the wharves along the basin below Pratt Street.

7. The May Pole at Paca and German streets, the Hand in Hand on Paca between Lexington and Saratoga, and the White Swan on Howard Street. Thomas B. Searight, *The Old Pike, A History of the National Road* (Uniontown, Pa., 1894), pp. 192-93.

8. Wm. Alexander to Robt. Ghiselin, April 17, 1837, Welch and Alexander Letter Books. Unless otherwise indicated, all of William Alexander's letters are from this source.

9. See Katherine A. Harvey, "Building a Frontier Ironworks," *Maryland Historical Magazine* 70 (Summer 1975): 157.

10. Welch and Alexander daybook, Nov. 28, 1837-Jan. 2, 1838.

11. *Ibid.*, Nov. 8, 1837; and W.A. to Tyson, Nov. 3, 1837.

12. See, for example, W.A. to Pauer, March 7, 1838; to Tyson, March 16, June 9 and 19, and Sept. 28, 1838; and to Graham, Sept. 21, 1838.

13. W.A. to Graham, Oct. 16, 1838, and Nov. 16, 1839.

from his letters that he was fully as concerned about its welfare as about the progress of the works. He suggested altering the doors to prepare them for installing good strong locks, and volunteered to have such locks made to order in Baltimore.¹⁴ He reminded the business manager that rats would be troublesome, and offered a gift of his own female rat dog and part of her expected litter.¹⁵ In buying for the store he had the opportunity to use his own judgment as to what would sell at a profit, and to make selections according to his own preferences. He could search the city for the best bargains and haggle over prices as it suited him. As long as affairs at the works were prospering, he was given his head. Thus we find him writing, "Of my own notion I send you 1 B [arre] Cordial that you can pay for or not according to wether [*sic*] you sell it or not."¹⁶ Or, "The Lace you did not order but it is worth 3 or 4 times its cost."¹⁷ Or, "I send five instead of two doz Shawls because I thought you can make some money on them."¹⁸

Most of his purchases for the store fell into three categories: clothing and dry goods, groceries and other foodstuffs, and wines and tobaccos. As to the first of these groups, he rather fancied himself a man of taste and discrimination. He would not fill an order for men's caps until he could find some "such as I would buy for myself."¹⁹ In his opinion it was important that material for men's pantaloons be "of the newest fashion," and if he could not get the preferred fabric, he tried to obtain one which would be equally acceptable.²⁰ He combed the markets for feminine as well as masculine apparel, seeking "good looking" shawls, buying calicoes because he thought them "very handsome," and unblushingly selecting "fashionable underclothes for Ladies."²¹ Since he was a bachelor, his business friends once suggested that he "get some female" to advise him about women's wear and prevent his being cheated, but he rejected the idea of waiting to hear "the notions of others."²² Occasionally in exercising his judgment as to what would be "just the thing for your country,"²³ he failed to take account of local customs. In Lonaconing, as in Wales, the miners' wives attending church or chapel wore good silk dresses, and their husbands attired themselves in wool broadcloth coats with velvet collars and silk linings. When he tried to substitute bombazine for silk, William was told in no uncertain terms to "comply literally with our instructions and then if we make blunders let us suffer for them." His meddling had made it necessary for the company's tailor to buy silk in Frostburg at retail prices and thus lose the profit on it.²⁴

In shopping for staple groceries, he was acutely conscious of prices and their relation to the store's profits. "Rice is 6 cts pr lb," he once wrote, "too high for

14. *Ibid.*, Dec. 24, 1838.

15. *Ibid.*, May 17 and June 2, 1839.

16. W.A. to Tyson, March 16, 1838. The amount involved was only \$6.75. Daybook, March 16, 1838.

17. W.A. to Graham, July 18, 1838.

18. *Ibid.*, Feb. [*sic*—actually March] 6, 1839.

19. *Ibid.*, Jan. 12, 1839.

20. *Ibid.*, April 21 and July 3, 1838.

21. *Ibid.*, Sept. 27, 1838, and Feb. 23 and April 6, 1839.

22. *Ibid.*, Nov. 14, 1838.

23. *Ibid.*, Aug. 31, 1839.

24. Graham to W.A., Oct. 3 and 16, 1839, George's Creek Coal and Iron Co. Letter Book, MS. 396, Maryland Historical Society.

myself and I think for you"; and similarly he explained that he would not immediately fill an order for vinegar because he expected to save 3½ cents a gallon by waiting a few days.²⁵ Still, he realized too that on festive occasions price was a secondary consideration, and before the Christmas holidays he tried to provide oranges, nuts, and dried fruits—all imported in those days. "Promise your men that all disappointments shall be made up & give them a New Years dinner of the raisins now on the way. They will cost about \$1 more but the pudding will be far better."²⁶ He could even provide fresh oysters to those affluent few willing to pay the expense of sending them by stage.²⁷ Among the general Lonaconing population, however, salted herrings were in far greater demand than oysters. With his usual acumen, William bought a good supply in the summer of 1838, when the price was \$4 a barrel, and stored them in a warehouse. By early February 1839, the price had gone to \$7 and \$7.50 a barrel. William, who took no windfall profits on his inventory, was quick to point out that he could have made a good deal of money by selling his herrings in Baltimore instead of sending them to the company store.²⁸

He seldom asked his principals for recommendations or advice. While he sometimes requested Robert Graham, the business manager at Lonaconing, to comment on the quality of cigars, including one lot represented to be "½ Spanish" but suspected to be "wholly Ohio,"²⁹ he apparently felt himself expert enough to select pipe tobacco, snuff, and "cheap chewing tobacco."³⁰ With respect to wines he once or twice asked for an opinion on some sauterne he had bought, and he did seek permission to buy some champagne at a particularly good price.³¹ Since he made most of his purchases from G. S. Oldfield, a Baltimore wine importer who was also a stockholder of the George's Creek Coal and Iron Company, one supposes that in the main he relied on the recommendations of his supplier. In a community in which company rule forbade the sale of distilled spirituous liquor,³² wine became an important item in store orders. Besides champagne and sauterne, William sent to Lonaconing other varieties described as Roussillon, port, French port, vin de Grave, Sicily Madeira, claret,³³ Marseilles port, and hock.

25. W.A. to Tyson, Nov. 18, 1837; and to Graham, Feb. 7, 1839.

26. W.A. to Graham, Dec. 24, 1838. Earlier he had sent all the currants he had, but found that figs were not worth buying and almonds were hard to get.

27. *Ibid.*, Feb. 2, 1839; and to Messrs. Lowndes & Co., Dec. 5, 1839.

28. W.A. to Tyson, May 24, 1838; and to Graham, Aug. 16, 1838, and Feb. 7, 1839.

29. W.A. to Graham, Feb. 13, 1839. Graham, who described himself as a person "who greatly enjoys a pure smoke," ordered expensive "Havannah Segars" for himself (Graham to W.A., Oct. 9, 1839, GCC & I Letter Book).

30. In fact, he felt himself expert enough to advise that "a little Rose water" be sprinkled upon a consignment of smoking tobacco "if any complaint be made of its being dry" (W.A. to Graham, July 24, 1839).

31. *Ibid.*, Sept. 27 and Oct. 27, 1838, and July 24, 1839; and to John Tyler, Oct. 16, 1838.

32. Harvey, *Best-Dressed Miners*, p. 377.

33. At Graham's insistence, although W.A. had informed him (May 11, 1839) that the opinion in Baltimore was that claret "will not stand the carriage to your place at any season of the year." To preserve some kinds of wine William occasionally added brandy or fortified wine, a practice to which

As the result of his efforts during any one week, William was likely to accumulate in his warehouse and store yard hogsheads and pipes of wine, barrels of flour, sugar, and molasses, bales of calico, boxes of notions, kegs of nails, and an assortment of oddly-shaped iron castings. His problem now was to find wagoners willing to transport his goods roughly 140 miles on the National Road from Baltimore to Frostburg and nine miles down a primitive "county road"³⁴ from Frostburg to Lonaconing. Professional freighters preferred to keep their six-horse teams and their big canvas-covered wagons on the macadam surface of the toll road. They also preferred to contract for trips to destinations where they could obtain profitable backloads for Baltimore. William was more likely to strike a bargain with one of the farmers who engaged in part-time freighting when the rates were high enough to attract them. However, even after he had engaged wagons, he was not always sure that the drivers would turn up, for, he wrote, "they are always uncertain until they have got the load in and have started."³⁵ More than once he waited in vain for a promised wagon, only to discover that its owner was in some other part of town loading for western Virginia or Ohio.³⁶

Any merchant forwarding goods must also consider the reliability and honesty of the wagoners. William Alexander required that each driver oversee the loading of his wagon and sign a receipt for the barrels, boxes, and bales put on board. A copy of the receipt, together with the invoice and a list of the contents of the various packages, went by mail to the superintendent or the store manager at Lonaconing, arriving well in advance of the wagon. A clerk supervising the unloading could quickly determine whether any item on the receipt was missing. However, if the wagoner somewhere along the route had opened any containers and removed articles from them, the theft would not be discovered until the goods were unpacked and checked against the invoice.

"The waggoners are most able to cheat when they please in some way," William wrote to his brother.³⁷ Of one wagoner he complained specifically, "he took the 2 baskets champagne and either used or sold them. There is no doubt of his taking them from me."³⁸ Finally William adopted the practice of sealing every package, thus making pilfering more difficult.³⁹

In justice to the wagoners, it should be made clear that an item which could not be found had not necessarily been stolen. William was an ingenious packer, and

Graham strenuously objected because the store's discriminating German customers would not buy the adulterated product (Graham to W.A., Apr. 26, 1840, GCC & I Letter Book). Obviously more of an oeconomist than an oenophile, William even suggested that some "good" port "be reduced by putting some water in it" (W.A. to Graham, July 3, 1838).

34. The road, a narrow cart track scarcely wide enough for a wagon, was impassible after heavy snows or during spring floods. James W. Thomas and T. J. C. Williams, *History of Allegany County* 2 vols. (n.p., 1923), 1: 536.

35. W.A. to Tyson, Feb. 22, 1838. Both letter books in the Welch and Alexander collection contain frequent references to the difficulty of getting wagons. William typically "rejoices" when he is successful, is "mortified & vexed" when he is not.

36. W.A. to Graham, Feb. 27 and Sept. 25, 1839.

37. W.A. to J. H. Alexander, Nov. 25, 1837. Alexander Papers, MS. 10, Maryland Historical Society.

38. W.A. to Graham, April 15, 1839.

39. *Ibid.*, Aug. 31 and Oct. 2, 1839.

his letters contain some interesting responses to queries from Lonaconing: the bottle of Florida water is in a bale of dry goods; two oil cans are in the barrel of sugar; you will find the pendulum for the clock in with the umbrellas; the pieces of India rubber were placed between the folds of the calico; look for the packages of flower seeds in one of the boots or in one of the tin kettles.⁴⁰ On one notable occasion two missing cheeses turned up when the newly-arrived company chaplain unpacked his furniture and found them "safely ensconced in a Bureau."⁴¹

Heatedly denying that he had put the cheese in the bureau, William advised, "If in consequence of the Wagoner permitting it to be done any damage resulted to the bureau, you are perhaps to say what the wagoner must pay. . . ." ⁴² It was commonly understood at this time that wagoners were liable for damage to the goods which they had undertaken to carry.⁴³ Although it was the responsibility of the sender to see that everything was packed well enough to prevent loss, it was the wagoner alone who was "the judge of everything being in good order before it [got] into his wagon."⁴⁴

The wagoner also decided how much he would carry, and could refuse a load which he considered either too small or too large. William complained, "Frequently I have 4 and 5000 lbs and have to wait until I can get from 1 to 2000 more,"⁴⁵ and from time to time looked for alternatives to through freight so that he might avoid annoying delays. One method was to send his partial loads to Cumberland, filling the wagons with goods which other Baltimore merchants had waiting for the same destination. The forwarding fee which he charged these merchants helped to defray the expense of transferring his own shipments to other wagons at Cumberland.⁴⁶

Freight charges varied greatly, depending upon demand. In July 1838 William was desperate enough to promise to send a wagon "at almost any price." In October of the same year he settled for a rate of \$2.25 a hundred pounds; in January 1839, \$1.75; in April, \$2.50; and in the autumn of 1839, \$1.75 again, although he had been offering as little as \$1 and was confident that the price would have fallen to that level if the wagoners had not been "engaged in seeding their Wheat."⁴⁷

40. W.A. to Pauer, March 16, 1838; to Tyson, March 24, 1838; and to Graham, Nov. 14, 1838, and Feb. 23, April 15, and April 26, 1839.

41. Graham to W.A., Nov. 12, 1839, GCC & I Letter Book.

42. W.A. to Graham, Nov. 16, 1839. William was so angry that he tore up his first letter because he feared that he did not write "in terms mild enough."

43. See, for example, W.A. to Tyson, April 21 and 27, and to Elias Wagner, Oct. 15, 1838.

44. W.A. to Graham, Aug. 10, 1839. In the same letter William wrote that he intended to talk over with his brother Thomas, the company's counsel, "one matter and another . . . [so] that he may be able to put us as we ought to be about law and other things about the Wagons."

45. W.A. to Graham, July 26, 1838. See Letter Books, *passim*, for notations that goods had been left at Baltimore to prevent overloading of wagons.

46. W.A. to Tyson, March 23, March 24, and April 27, 1838. William was acquainted with other merchants who had customers in Cumberland.

47. W.A. to Pauer, July 11, 1838; to I. Paul, Oct. 4, 1838; and to Graham, Jan. 12, April 4, Sept. 10 and 25, and Oct. 11, 1839. The \$1.75 rate in September and October 1839 indicates that the company

Just as the problem of delay had prompted a deviation from dooryard to dooryard delivery by one carrier, the high cost of transport also led to exploration of still other routes. It was much cheaper, although slower, to ship by rail to Winchester, Virginia, where a forwarding agent would pick up the goods and take them by wagon over the mountains to Lonaconing. The saving of anywhere from 12½ to 37½ cents of hundred pounds led to the adoption of the Virginia route in the summer of 1838, when a good deal of heavy and bulky material was required for construction of the works.⁴⁸ A third proposal, apparently not followed through, was to ship by the railroad to Harpers Ferry, by the Chesapeake and Ohio canal to Hancock (40 miles east of Cumberland), and by road from Hancock to Lonaconing. The saving was considerable—\$1.26 instead of \$1.75 a hundred pounds—but William was uneasy about possible delays and uncertainties.⁴⁹

Some of the demands upon William for more personal services arose from his familiarity with the means of transport. Not infrequently workmen or their relatives on the way to Lonaconing stopped at his store for assistance, and, depending on the circumstances, he would advance money for stage fare or see to it that families found a wagon to take them and their household goods.⁵⁰ He was not always willing to help. "A cabinet maker with you with the name of Barnhardt Ellerman has written for a sister of his wife to come to Lonaconing and directs her to come to me to be set up. I have not much opinion of her. If you do not direct to the contrary I shall not send her but leave her to do just as she pleases."⁵¹ These persons on the move of course eventually repaid their fares, wagoners' rates, and drayage on their furniture, but William asked nothing for himself until he heard rumors that a carpenter he had assisted was planning to quit the company's service. Ordinarily the charge for forwarding was 8 cents a hundred pounds, but as William wrote to Graham on December 20, 1838, he had not demanded this of any one "employed by you and likely to continue with you." However, he now announced, "I will hereafter charge the whole of the workmen for forwarding because it is very easy for them to get employed by us to avoid the expenses of removing."

Since he was acquainted with many of the Baltimore Germans employed at the ironworks, he was glad to make small purchases and execute small commissions

paid a premium for service to Lonaconing. According to the *Baltimore Sun*, \$1.75 per hundred pounds was the going rate to Wheeling, fully a hundred miles farther away, and the rate to Pittsburgh, also a greater distance, was only \$1.50. Freight charges were paid at the receiving end after the consignee was satisfied that all of his goods had been delivered. William sometimes advanced money to a wagoner to pay part of his expenses on the journey, but he preferred not to do so (W.A. to Graham, Feb. 13, 1839).

48. See W.A. to Graham, July 7 and 26, 1838; and to I. Paul, Winchester, July 6, Aug. 13, 14, 15, Sept. 22, 24, and 27, 1838. Goods went by rail on the Baltimore & Ohio to Harpers Ferry, and from Harpers Ferry to Winchester on the Winchester and Potomac Railroad.

49. W.A. to Graham, Sept. 25 and Oct. 11, and to Robert Wason & Co., Hancock, Sept. 27, 1839. However, three years later, as the B & O neared Cumberland, Graham wrote: "Your last invoice coming up with R.Road speed, has spoiled us for the deliveries of the old way" (GCC & I Letter Book, Aug. 1, 1842).

50. W.A. to Pauer, Dec. 28, 1837; to Tyson, April 21 and 27, 1838; and Welch and Alexander daybook, April 19 and Sept. 18, 1838.

51. W.A. to Graham, Feb. 13, 1839.

for them—buying a silk dress length for the chief clerk's wife, selling a stove for one of the engineers, and going to considerable trouble to trace a laborer's possessions lost in transit on the Baltimore and Ohio Railroad.⁵² He went "about 10 times" to see a magistrate and a constable, urging them to collect money due the chief carpenter from his tenant.⁵³ By order of the company's superintendent he paid the wife of another of the carpenters \$6 a week until she joined her husband at Lonaconing, and he then advanced \$25 for her moving expenses.⁵⁴ When a Baltimore businessman presented William with two of the company doctor's notes, he paid them, saying that he was not in the habit of doing so, but had no objection if he were "offered compensation."⁵⁵ Other of William's special activities were more typically those of a factor. For example, he was asked to recover some of the company's tools which had been taken away by a contractor's foreman.⁵⁶ In another instance he was asked to set the proper authorities on the trail of two workmen who had fled Lonaconing "clandestinely in the night," leaving unpaid bills for board and laundry.⁵⁷

As we can see from the examples given above, William Alexander's functions of supply and accommodation are very fully described in what remains of his records and those of the George's Creek company. But when we attempt to discover to what extent he may also have been involved in the function of selling, we find those same records inconclusive. It is regrettable that his only well-documented sale on behalf of the company should have been for a lot of salted beef which Graham had injudiciously purchased from some farmer and could not dispose of. William sold it for 4 cents a pound and charged 2½ percent commission for his services.⁵⁸ In addition to this minor transaction which had nothing to do with the company's *raison d'être*, William's account books show that in the winter of 1837–38 he received and paid the carriage (60 cents per 100 pounds) on about fifteen tons of coal, which he also paid to have weighed.⁵⁹ So far as we can tell, he sold none of this coal, but merely arranged for its delivery to various stockholders of the company in Baltimore, Annapolis, and New York, charging only for drayage and the expense of coopering in hogsheads.⁶⁰

52. W.A. to Pauer, Aug. 22, 1838; to Tyson, Nov. 6 and 18, 1837; to Lewis [sic] McLane, Aug. 2, 1838; and to Richard Payne, Aug. 6, 1838.

53. W.A. to John Arner, Jan. 17 and March [sic—April] 7, 1838.

54. W.A. to Tyson, June 19, 1838; and to Graham, Sept. 28, 1838.

55. W.A. to Graham, Sept. 6, 10, Oct. 2 and 22, 1839; and to Dr. H. Hermann, Oct. 22 and Dec. 16, 1839. Possibly W.A. was beginning to feel the effects of the general slump in business which had begun in the late summer of 1839. So far as his records indicate, he had not previously charged company employees for advancing them money or credit.

56. Graham to W.A., May 13, 1841, GCC & I Letter Book.

57. *Ibid.*, Dec. 30, 1840.

58. W.A. to Graham, May 11, 1839; and daybook, May 31, 1839. See *Baltimore Sun*, May 9, 1839, for William's advertisement of "fine salted beef . . . put up by a Farmer, for family use." William balked, however, at a subsequent request that he try to "get a cent or two, clear, from the Porto Rican or Cuba Houses" for an unsaleable lot of smoked beef (Graham to W.A., Sept. 26, 1839, GCC & I Letter Book). William suggested instead that Graham try to sell the beef himself at Winchester or along the line of the canal (W.A. to Graham, Sept. [sic—Oct.] 2, 1839).

59. Welch and Alexander daybook, Nov. 28, Dec. 2, 8, 9, 13 and 29, 1837, and Jan. 4, 1838.

60. *Ibid.*, Nov. 28, Dec. 2 and 29, 1837, Jan. 6 and 13, 1838; and W.A. to J. H. Alexander, Nov. 25, 1837, Alexander Papers.

Similarly, during the spring and summer of 1839 he received about 4¾ tons of pig iron, on which the carriage was 50 cents per 100 pounds.⁶¹ At the end of June, whether by prearrangement or otherwise, Ross Winans, a Baltimore founder, "took" about three tons of this iron.⁶² There is no account book entry for a sales commission, and in fact William wrote Graham on August 10, 1839, that he had not been authorized to sell any iron and was waiting for instructions. At the beginning of September he shipped 150 pigs of iron to the Columbia Foundry in Georgetown, D.C., "by direction of J. H. Alexander Prest. George's Creek Coal and Iron Company."⁶³ William's books show charges of \$2.93 for drayage and wharfage, and a commission of 4 percent (12 cents) on that amount, but again, no sales commission. On October 11 he wrote Graham that he had sold no iron and had charged drayage at the end of the preceding month "of course to get my money but principally as a memorandum that cannot be forgotten. The iron was delivered to me and the day may come when it may be asked what has become of it." Subsequently Graham twice inquired as to the disposition of the iron so that he might close the "Sales of Iron" account on his own books.⁶⁴

From this limited evidence it is of course impossible to be sure that the company intended its Baltimore agent to sell its iron. Iron manufacturers of the time seem to have had no settled marketing practices, and as often as not waited for their customers to seek them out. In many cases they provided price lists in response to inquiries.⁶⁵ Founders frequently advertised their products. Had the George's Creek company's plans matured, it might have announced that its cast-iron agricultural implements were to be viewed and ordered at William Alexander's establishment. However, the question of selling methods soon became irrelevant. Because of delays in completing the Chesapeake and Ohio canal and the Baltimore and Ohio Railroad, the company found itself without a cheap means of transport for its products. For several years after 1840, therefore, it worked its mines only to supply a small furnace which in turn made iron almost entirely for use in replacing the wooden rails on the tramroads at Lonaconing.⁶⁶

Possibly the relationship between the George's Creek Coal and Iron Company and its factor was unique. Nevertheless, the preceding brief review of William Alexander's operations suggests that in the 1830s and 1840s a commission merchant or factor could have been of great service to any company setting up a mining and manufacturing business in a remote area. At the very least, it would seem necessary to have a trustworthy forwarding agent to receive essential heavy construction materials and see them safely on their way via the most satisfactory means of transportation. It would be possible to present a more convincing argument if we knew to what extent forwarding agents played a part in the construction of five neighboring blast furnaces between 1840 and 1855.⁶⁷

61. W.A. to Graham, May 29, June 13, and July 20, 1839; and daybook, July 31, 1839.

62. W.A. to Graham, June 28, 1839.

63. W.A. to W. M. Mason, Sept. 3, 1839.

64. Graham to W.A., Oct. 16 and 28, 1839, GCC & I Letter Book.

65. See, for example, GCC & I Journal, May 16, June 6 and 26, 1838.

66. Harvey, "Building a Frontier Ironworks," p. 165.

67. Two at Mount Savage, Md., in 1840; Lena Furnace, near Cumberland, in 1846; Vulcan Furnace, in Hampshire County, Virginia, in 1848; and Charlotte Furnace, at Wellersburg, Pa., in 1855.

There is no question that for those iron manufacturers who owned company stores, the most efficient way of buying was through a commission merchant, eliminating endless correspondence and the maintenance of individual accounts with a host of dealers.⁶⁸ Although to some extent the middleman's fees offset these advantages (William Alexander charged 4 percent commission⁶⁹), a company store was usually expected to and did make money. The profit of more than 25 percent reported for the George's Creek store for 1839⁷⁰ was made possible by William Alexander's low prices, which also enabled the Lonaconing emporium "to compete with the great opposition" as other shops were opened in the valley.⁷¹

The benefits from special services were more subtle and not easily assessed, but it seems that help in moving, in obtaining goods from the city, and in taking care of minor payments and collections, could have had a considerable effect in recruiting and keeping a work force. The amount of such services rendered freely or for compensation probably differed from situation to situation. A factor who was a member of his principal's family might well be expected to be more obliging than one whose interest was entirely in his own business.

These tentative conclusions concerning factors' possible contributions to industrial development should be seen as applying to a limited timespan, roughly from about 1830 to just before the Civil War. The advancing railroads deprived commission merchants of one function after another. Forwarding agents were less essential when goods could reach their destination without being transferred from rail car to canal boat to wagon. Connecting lines reached into mining villages, making them less isolated and giving their population more mobility. Company storekeepers were able to make trips to marketing centers to select their stock. And by 1860 the growing number of traveling salesmen made even those trips unnecessary.⁷² William Alexander continued to supply the George's Creek store at least until the summer of 1843,⁷³ but we have no record of his activities between that time and the spring of 1849, when he decided to close his business.⁷⁴ At that point we lose him entirely.

68. For example, F. H. Oliphant, with works near Uniontown, Pa., dealt with a commission merchant in Baltimore (GCC & I Journal, June 22, 1838). Even in less remote locations like Hopewell Furnace in Berks County, Pa., ironmasters found it convenient to have city-based merchants send up their supplies (Walker, *Hopewell Village*, p. 189). Joseph Walker has told me that the Lukens works at Coatesville, Pa., also used commission merchants in Philadelphia and Wilmington.

69. Welch and Alexander daybook, *passim*. He charged only 2 1/2 percent on materials bought for the furnace.

70. Graham to Wilson, March 13, 1840, GCC & I Letter Book.

71. Graham to W.A., *ibid.*, June 12, 1843.

72. Fred Mitchell Jones, *Middlemen in the Domestic Trade of the United States, 1800-1860*. *Illinois Studies in the Social Sciences*, Vol. XXI, No. 3 (Urbana, 1937), p. 17.

73. Graham to W.A., July 6, 1843, GCC & I Letter Book. The letter book contains no reference to William Alexander between this date and the last entry on Nov. 8, 1847.

74. W.A. to the Rev. P. F. Smith, Mar. 6, 1849. The Welch and Alexander letter books contain no entries between Feb. 22, 1840, and this date, and the accounts run only to April 1842.

THE DESEGREGATION OF THE UNIVERSITY OF MARYLAND

EDWARD J. KUEBLER

THURGOOD MARSHALL, PRESENTING A PAPER TO THE NATIONAL CONFERENCE OF HOWARD UNIVERSITY on "The Courts and Racial Integration in Education" in 1952, described the efforts to equalize educational opportunities for Negroes through use of the courts. He divided these efforts into three periods. In the first, 1896-1930, the 1896 *Plessy v. Ferguson* Supreme Court decision, which established the doctrine of "separate but equal," was used to uphold a policy of racially segregated education. During the second period, 1930-45, the National Association for the Advancement of Colored People began an attack on segregation in public education with a series of court cases aimed at desegregating graduate and professional schools throughout the South. The third period, 1945-52, was a time of reevaluation of the methods of the second period and formulation of plans for a new attack against segregation, culminating in the momentous 1954 Supreme Court decision of *Brown v. Board of Education* which reversed *Plessy v. Ferguson* and ended the doctrine of "separate but equal."¹

More than two decades after the 1954 decision the struggle continues to desegregate public schools and to have desegregation enforced. Perhaps it is time to stop for a moment to investigate the first stage in the evolution of desegregation. Going back to the period 1930-45, which Marshall saw as the most crucial time in the desegregation movement,² this initial step involved Donald G. Murray, the first black since the passage of the "separate but equal" doctrine to enter a southern university. His case set a precedent for many other court cases which led ultimately to the Supreme Court attack on "separate but equal."

By 1930 the time was ripening for the NAACP to become involved in the school segregation problem. The Depression was having a profound effect on the whole population, but the blacks suffered most from its manifestations since they were the last hired, first fired, and last to benefit from public relief programs. During this time the NAACP began to exert influence on the population, and New Dealers were showing an interest in the plight of the Negro which caused a subsequent shifting of the black vote from Republican to Democratic.³ Black

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1. Thurgood Marshall, "An Evaluation of Recent Efforts to Achieve Racial Integration in Education Through Resort to the Courts, *The Journal of Negro Education*, 21 (Summer 1952): 317-19.

2. *Ibid.*, p. 319.

3. August Meier and Elliott Rudwick, *From Plantation to Ghetto* (New York, 1970), pp. 238-40.

leaders were divided on where to place their efforts toward betterment of the people. Because of the Depression and the subsequent concern of New Dealers, many of the young black intellectuals in the NAACP, such as Ralph Bunche and A. Philip Randolph, wanted the organization to concentrate efforts on black welfare programs, whereas traditionally the NAACP had concerned itself with problems of segregation.⁴ The lack of cohesiveness among black leaders has been considered one of the greatest problems facing the NAACP. But despite the differing opinions among NAACP members, it was clear that the traditional approach would continue to be followed and that a concentration on segregation in education was in order.⁵

The desire for personal advancement through education was a national concern of the Depression years, and school attendance increased for both black and white. This only heightened the zeal of NAACP traditionalists to eliminate educational injustices. Maryland was a good place to concentrate efforts since its position as a border state made it a land of incongruities.

Maryland was caught between northern and southern custom and rule. As in New York, blacks could ride the streetcars, but as in the South, they could not shop in major department stores. Schools, movies, and churches were segregated, but at the same time Maryland was the only state in the nation with an Interracial Commission, created by the state legislature and appointed by the governor, to deal with black welfare.⁶ Among the most glaring of the incongruities, however, was the Maryland educational system, especially where it concerned the blacks. Of the ten segregated southern states, Maryland's expenditures for black education were more than two times the overall average.⁷ However, black children were not expected to attend school as many days as white children.⁸

The NAACP had been involved in the Maryland public schools before the Murray case. These earlier disputes involved the discriminatory policy of paying black teachers salaries that were below the state minimum.⁹ While this and the other problems of black education in the public schools were of great concern to the NAACP, it was felt that the best place to begin the attack on segregation in education was the university level. There were fewer equal opportunities in higher education and the cost was too great, in most cases, to provide for two separate and equal professional or graduate schools for the races.¹⁰ So the decision was made to concentrate on racial segregation in higher education.

The NAACP followed closely, but did not become directly involved in, the case

4. Raymond Wolters, *Negroes and the Great Depression: The Problem of Economic Recovery* (Westport, Conn., 1970), pp. 221-23.

5. Meier and Rudwick, *Plantation to Ghetto*, p. 245.

6. Ira D. A. Reid, *The Negro Community of Baltimore: A Social Survey* (Baltimore, 1934), pp. 207-208.

7. Doxey A. Wilkerson, *Special Problems of Negro Education*. The Advisory Committee on Education, Study 12 (Washington, 1939), p. 50.

8. *Annual Report of the State Board of Education of Maryland, For the Scholastic Year 1937/1938* (Baltimore, 1938), pp. 146-47, and Ambrose Caliver, *Statistics of the Education of Negroes: 1933-34 and 1935-36*, U.S. Office of Education, Bulletin 1938, 13 (Washington, 1938), p. 35.

9. Reid, *Negro Community*, p. 98.

10. Marshall, "An Evaluation," p. 318.

of *Hocutt v. University of North Carolina* (1933), which Hocutt lost on a technicality. The black plaintiff had graduated from a Negro college and was attempting to attend graduate school at the University of North Carolina. However, the president of the Negro college did not certify Hocutt's scholastic record and the case was dismissed.¹¹

By December 1933 it was clear that a test case based on the *Hocutt* decision was being considered for the University of Maryland. A variety of factors were involved in the timing of this case, not least of which was the peculiarly incongruous nature of the state itself. As indicated, the black population lacked able leaders and cohesion. For example, in Baltimore the black population was not as powerful as it might have been, for rather than one large ghetto, the blacks lived in many small ghettos, and they were Republicans in a Democratic state.¹² There was ordinarily a problem in gaining support for test cases from the general Negro community, and in addition few blacks were willing to be plaintiffs. But there was in Baltimore a rather militant group of young black college graduates organized as the NAACP Youth Council who were ready, willing, and quite capable of becoming involved in such a case.¹³ The situation at the University of Maryland, however, was the main factor in the decision to involve it in a test case.

Like other land-grant institutions, the University of Maryland during the twenties and thirties was trying to attract the urban dweller and "shed the cow-college stigma that had long frightened away city students." By 1925 the university had been fully accredited by the Association of American Universities,¹⁴ and in 1930 the law school, which in 1920 had merged with the university from its original status as a private institution, received a Class A rating.¹⁵

But the University of Maryland, holding to the doctrine of "separate but equal," was not open to black students. Because some provision had to be made for these students, the university had an institution on the Eastern Shore known as Princess Anne Academy which was designed to provide higher education for Negroes. Previously owned by Morgan College, a Negro institution in Baltimore, and operated by the University of Maryland, Princess Anne was finally purchased by the state legislature and annexed to the university in 1935. Black students wishing to further their education beyond the junior college level provided by Princess Anne could do so at Morgan College or in institutions outside the state. In order to assure a continuation of the "separate but equal" clause, the university provided a scholarship fund for blacks who wished to continue beyond Princess Anne. This fund was less than adequate.¹⁶ In fact, less money was allotted for scholarships than was allowed for the establishment of a Committee on Scholarships to study the situation (\$600 in the total scholarship fund

11. *Ibid.*

12. James B. Crooks, *Politics and Progress: The Rise of Urban Progressivism in Baltimore 1895 to 1911* (Baton Rouge, 1968), pp. 6-7.

13. Marshall, "An Evaluation," p. 318.

14. George H. Callcott, *A History of the University of Maryland* (Baltimore, 1966), pp. 290-91.

15. *Baltimore Sun*, May 11, 1930.

16. Callcott, *University of Maryland*, pp. 351-52.

and \$1000 in the investigative budget).¹⁷ The thought behind this pittance of a fund was expressed by the Chairman of the Board of Regents:

These scholarships would represent a smaller expenditure of State funds than would be required to provide the additional educational facilities at Princess Anne. . . . The institution of a few of these scholarships would make it impossible for anyone to claim that Negroes are not given a fair opportunity in Maryland under the terms of the Land Grant Legislation.¹⁸

The establishment of this fund in no way assured equality of educational opportunity for black students in Maryland. Having the fund and dispersing the monies were two different situations. And herein lay the origin of the case of Donald Gaines Murray.

Murray came to the attention of Charles H. Houston, Dean of Howard University's School of Law, and Special Counsel to the NAACP, through attorney William Gosnell, counsel to the Alpha Phi Alpha Fraternity, a Negro social and fraternal organization which had been active in obtaining applicants for the proposed litigation. Gosnell felt that Murray "would present a good case for legal action."¹⁹ Among Murray's assets, Gosnell stated, were that he was "a native Marylander and an Amherst honor man and his people are very influential Marylanders his grandmother is Bishop Gaines wife."²⁰ Murray had applied to the University of Maryland School of Law but had been denied admission.

This rejection was nothing new to NAACP officials. Throughout the early stages of the cause they had kept careful records of the correspondence between applicants and university officials. These pieces of correspondence were crucial to the NAACP in the preparation of the Murray case, for they showed that the University of Maryland provided neither separate nor equal facilities for blacks. In the series of letters that followed a typical black's application, a definite pattern can be seen evolving, a pattern which would ultimately defeat the university in the Maryland courts.²¹

First, a young black student would send an application to the university requesting admission to a graduate or professional school. A form letter from President Raymond A. Pearson would be duly returned to the applicants along with their \$2.00 application fee.

In order to insure equality of opportunity for all citizens of this State, the 1933 Legislature passed Chapter 234, creating partial scholarships at Morgan College or

17. Minutes of the Meetings, September 9, 1932, and October 23, 1933, Board of Regents of the University of Maryland, Baltimore, Md. (in the Board Room).

18. Board of Regents Minutes, September 9, 1932.

19. Gosnell to Houston, December 18, 1934, NAACP Papers, Library of Congress, Washington, D.C. All subsequent correspondence is in the NAACP Papers unless otherwise cited.

20. *Ibid.*

21. Any missing notations in this pattern are due to carelessness on the part of the students involved. The NAACP, realizing the importance of the correspondence, dealt sharply with careless applicants. One such person was Juanita Jackson, an active Youth Council leader and likely candidate for the Maryland case, who voiced her dismay at not having kept adequate records of her correspondence, but assured Houston that her mistake would not be repeated by herself or any applicant with whom she came in contact (Jackson to Houston, September 24, 1934).

institutions outside of the State for Negro students who may desire to take professional courses or other work not given at the Princess Anne Academy. Should you desire to make application for such scholarship, notify me, and I shall see that such application is duly filed.²²

Following this, inquiries would be forwarded to Pearson regarding these scholarships. Again form letters were returned from either the president or from H. F. Cotterman, Chairman of the Committee on Partial Scholarships:

The rules for awarding scholarships under Chapter 234 have not been formulated as yet. I do not know what the Board will do in the matter. We had a small amount of money last year for scholarships for the benefit of students at Princess Anne who wished to continue on more advanced work elsewhere.²³

We are working on application blanks and as soon as these are approved by the Board of Regents I shall be very glad to mail one to you.²⁴

Upon receipt of the promised application and their subsequent filing with the university, the invariable reply from Cotterman was:

I cannot hold out much hope to you for partial scholarship aid this year. The law which gives permission to the Board of Regents to set up partial scholarships was passed by the last Legislature without any special appropriation for funds for carrying out the law.²⁵

Armed with samples of this correspondence, the NAACP began to gather similar answers to Donald G. Murray's requests. After Murray's formal letter of application had been filed, he received an answer from the university's registrar: "President Pearson instructed me today to return to you the application form and the money order, as the University does not accept Negro students, except at the Princess Anne Academy."²⁶ Following this reply Murray made a request of the Board of Regents:

I am a citizen of the State of Maryland and fully qualified to become a student of the University of Maryland Law School. No other State institution affords a legal education. The arbitrary actions of the officials of the University of Maryland in returning my application was unjust and unreasonable and contrary to the Constitution and laws of the United States and the Constitution and laws of the State. I, therefore, appeal to you as the governing body of the University to accept the enclosed application and money order and have my qualifications investigated within a reasonable time. After finding that I am qualified you are further requested to admit me as a regular student of the University of Maryland Law School. I am ready, willing and able to meet all requirements as a student, to pay

22. Raymond A. Pearson to Harold Arthur Seaborne, July 26, 1933, to Juanita Jackson, January 26, 1934, to William W. Proctor, June 8, 1934, and to Donald G. Murray, December 14, 1934.

23. Raymond A. Pearson to Harold A. Seaborne, August 22, 1933.

24. H. F. Cotterman to Harold A. Seaborne, December 8, 1933, to William Proctor, August 4, 1934, and to Juanita Jackson, September 14, 1934.

25. H. F. Cotterman to Wayman R. Coston, January 22, 1934, to Juanita E. Jackson, February 21, 1934, and to Charles L. Tarter, September 20, 1934.

26. W. M. Hillegeist to Murray, February 9, 1935.

whatever dues are required of residents of the State and to apply myself diligently to my work.²⁷

President Pearson returned Murray's application fee along with a copy of his December 14, 1934, reply—the form letter received by others in the past. He also suggested that Murray apply to the Howard University School of Law in Washington and indicated the advantages Murray would have in going there: its fine reputation and lower tuition fee.²⁸ At no time, however, did Murray receive an answer from the Board of Regents although it is clear that the Regents were concerned with the evolving situation. However, they failed to see, until it was too late, the actual shape the university's correspondence had taken. Unfortunately, the Executive Sessions of the Board of Regents where the actual policy decisions were made are not a matter of public record; available only are the final decisions as stated at the public Board Meetings. The Board reviewed the application which Murray had filed and the related correspondence between Murray, Pearson, and the Dean of the Law School. Subsequently they entered their decision on the disposition of the application.

It was the unanimous decision of the Board that the application of Mr. Murray for admission to the Law School of the University of Maryland be denied. Further it was the decision of the Board that Mr. Murray, because of his educational qualifications, was eligible for assistance under Chapter 234 of the Acts of 1933 and under Chapter 577 of the Acts of 1935.²⁹

Some two months later, following a request by Assistant Attorney General Charles R. LeViness III to President Pearson that the term "unanimous decision," above, be changed to read "decision by majority vote,"³⁰ the Board revised its minutes.³¹ By then, however, any softening effect the change in terminology might have had came far too late, for the NAACP was well prepared to move through the Maryland courts.

Murray, through the NAACP, filed suit against the University of Maryland on April 8, 1935, petitioning for a writ of mandamus to force his entry into the university. Before the case came to court Thurgood Marshall, who was coordinating Murray's suit, offered one last escape to the university. He sent a transcript of Murray's grades from Amherst asking that they should be checked and if found unacceptable, the case would be dropped. The university, however, was quite willing to accept the transcript. This was the final check; in all ways except color Murray was acceptable as a student.³²

The hearing began on June 18, 1935, before Judge Eugene O'Dunne. Marshall had requested that Judge O'Dunne handle the case, although he did not indicate his reason for so doing.³³ O'Dunne, a graduate of the University of Maryland

27. Murray to The Board of Regents, March 5, 1935.

28. Pearson to Murray, March 8, 1935.

29. Board of Regents Minutes, April 22, 1935.

30. LeViness to Pearson, May 11, 1935, Board Minutes.

31. Board of Regents Minutes, June 24, 1935.

32. Marshall to LeViness, June 8, 1935.

33. Marshall to Houston, January 25, 1935.

School of Law in 1900, was three times unsuccessful in his bid for State's Attorney within the Democratic machine.³⁴ He was popular among lawyers, and they considered him "one of the most colorful jurists ever. . . ."³⁵ His decisions were seldom predictable but were also seldom reversed by higher courts.³⁶ This could have been one of Marshall's reasons for requesting him, but the most likely reason is that O'Dunne had a talent for gaining publicity which, as will be seen later, was something the NAACP was ever conscious of. The Baltimore *Sun* described him in this way:

No judge who has shown himself in these parts for the past 50 years had managed to produce so many speeches, opinions, pronouncements, letters to the editor and *obiter dicta* which simply could not be kept out of the paper. The man has a genius, perhaps unconscious, for publicity.³⁷

During the hearing Donald Murray stated that since he was a native of Baltimore, wished to practice law in Maryland, and was fully qualified to become a student at the university, he should be admitted. He felt that the experience he could gain by attending Maryland court sessions as a student and by learning Maryland law from the beginning of his study was extremely important. He further stated that the cheaper tuition fee of Howard University was negated by the daily cost of transportation between Baltimore and Washington, or the cost of boarding in Washington. Since the University of Maryland School of Law was located in Baltimore, Murray could live at home and save the transportation and boarding fees.

Pearson's testimony made clear the situation at the university: all racial groups were acceptable except Negroes, and the scholarship fund for blacks was virtually non-existent as no state funds had been allotted. It is little wonder then that at the conclusion of the presentations, O'Dunne, without further consultation, made the decision. He issued Murray the writ of mandamus and insisted that he should be admitted for the fall term.³⁸

As was expected, the University of Maryland filed counter suit in the Maryland Court of Appeals. The case was to come up in the October 1935 term when Murray would already be enrolled as a student. For this reason the Maryland attorneys petitioned to have the case advanced in order that a second decision would be made before September.³⁹

Although the court did not grant this petition, the NAACP attorneys were constantly preparing. By this time Marshall was also working on the teacher's salary case in Baltimore but was advised by Dean Houston to put it aside in lieu of a superior preparation of the Murray case.⁴⁰ "Answering your letter of August 21, use your time as necessary in preparing the University of Maryland case. This

34. Baltimore *Evening Sun*, October 30, 1959.

35. Baltimore *Sun*, June 21, 1945.

36. Clarence Mitchell, "Observations and Reflections," *Afro-American*, no date, NAACP Papers.

37. June 21, 1945.

38. Stenographer's record, June 18, 1935 trial, NAACP Papers.

39. LeViness to Marshall, August 2, 1935.

40. Houston to Marshall, August 21, 1935.

is a matter of prime importance and no consideration should keep us from being completely prepared."⁴¹

In the meantime some changes had been made at the university. Pearson was replaced as president by H. Clifton "Curly" Byrd. The *New York Times* said that Pearson's dismissal was a result of his lowering academic standards, lacking interest in research, and reducing library funds.⁴² George H. Callcott, in his definitive history of the University of Maryland, described Pearson's dismissal in the following way:

The president's downfall stemmed from his personality, from his apparent overemphasis on construction, from his neglect of the faculty, from the self-assertion of the students and the misfortune of over-publicized court cases, and from the whole bane of depression and an eagerness for a new deal.⁴³

Although in the changeover of presidents no specific mention of the Murray case was ever made, the new president began his tenure with a renewed zeal to fight Murray's admission. Byrd had to work with Herbert R. O'Connor, at that time the attorney general of Maryland, who represented the university in the case. Two less likely people could not have been found to collaborate on the Murray case. Byrd was a controversial figure:

To students he was a superman who made Maryland great, to some of his faculty he was a dictator and an anti-intellectual, while to thousands of small farmers served by his agricultural agencies he shared credit with the president of the United States for ending the depression. To the general assembly he was an irresistible seducer of public funds, to the *Baltimore Sun* he was a scheming empire builder and to himself he was a righteous builder of the American way.⁴⁴

He feared that Murray's admission and the subsequent admission of other black students would cause the financial downfall of the university through a decline in white enrollment. He also felt that it would not be good for the women students to come into contact with black students.⁴⁵ O'Connor, on the other hand, appears to have left personal sentiment out of the controversy. He simply followed the law as it was stated in *Plessy v. Ferguson* and was not surprised at Judge O'Dunne's decision to admit Murray.⁴⁶

The NAACP was always ready to combat any hint of bad publicity such as Byrd's raising of the sex issue. Houston was particularly concerned with the effect of public opinion on the case, requesting of Carl Murphy, editor of the *Afro-American*, that a file be kept of all stories on the Maryland case.⁴⁷ Marshall

41. Houston to Marshall, August 22, 1935.

42. *New York Times*, June 29, 1935.

43. Callcott, *University of Maryland*, p. 308.

44. *Ibid.*, pp. 314-15.

45. Petition to Advance, August 2, 1935, NAACP Papers. Byrd's fears were unfounded, at least regarding the law school, for there was a 10 percent increase in student registration at the time that Murray registered as the school's only black student (*Baltimore Sun*, September 27, 1935).

46. Harry W. Kirwin, *The Inevitable Success: Herbert R. O'Connor* (Westminster, Md., 1962), pp. 258-59.

47. Houston to Carl Murphy, June 2, 1935.

had found that two blacks, Harry S. Cummings and Charles Johnson, had graduated from Maryland before the adoption of "separate but equal," while two others, W. Ashbie Hawkins and John Dozier, had been asked to leave the university in 1889, at the beginning of Jim Crowism.⁴⁸ Houston felt that information of this nature would help lessen public shock regarding the case.⁴⁹

Publicity in the black publications, as would be expected, was frequent and heated, where views such as the following were aired:

Our only regret in the matter is that this is a civil instead of a criminal case.... There is little justice in laws which jail a poor man for stealing a loaf of bread and leave at liberty university regents who rob us of our citizenship.⁵⁰

Although the NAACP solicited the support of numerous reporters and columnists, the Murray case did not receive widespread publicity in the white dailies.⁵¹ Only H. L. Mencken of the *Baltimore Sun* saw the need to respond to this request. Opposed to integration in the public schools where immature children were involved, Mencken viewed the professional schools as populated by mature adults of superior intelligence who could handle integrated education.

Mencken felt that Murray was above the level of most of the law students at Maryland since he had his degree, whereas white students needed only two years of college to enter. He had more respect for the law students though than those who attended the College of Arts which he described as a "fifth rate pedagogical dump patronized largely by the children of Washingtonians." Of the law students he said, "To think of them as crackers hugging idiotically their more fortuitous whiteness is to say at once that they are unfit to be admitted to the bar of any civilized State." As Mencken summed up his view that Murray should be admitted,

The only question before the house, disregarding purely legal considerations, is whether the Law School is to be abandoned to Ku Kluxery in order to protect a so-called college that costs the taxpayers immense sums every year, benefits them little if at all, and is in general vastly less an institution of learning than an impudent political racket.⁵²

H. L. Mencken notwithstanding, the university officials felt they had a case. One of their arguments was that a writ of mandamus was improper. Rather, Maryland should be forced to supply a Negro law school. They tried to present the law school as a private institution in which case Murray could be denied entrance. But realizing that the law school had merged with the University of Maryland in 1920, and thereby had become a public institution, they also presented the idea that equal opportunities for Negroes were available through the scholarship fund at Morgan College and the provision for out-of-state studies.⁵³

48. Memo, Marshall, May 21, 1935.

49. Houston to Marshall, April 15, 1935.

50. *Afro-American*, "There Ought to Be a Jail," April 27, 1935.

51. Gannett to Houston, May 14, 1935; Houston to Gannett, May 28, 1935; White to Azrael, Owens and Mencken, September 12, 1935; White to Mitchell, September 26, 1935.

52. H. L. Mencken, "The Murray Case," *Baltimore Sun*, September 23, 1935.

53. *Raymond A. Pearson, et al. v. Donald G. Murray*, Appellants' Brief (Baltimore, 1935) pp. 2-3.

But the attorneys for Murray were prepared to present information that showed the inadequacy of the scholarship fund: by that time there had been 284 applications for a total allotment of \$10,000.⁵⁴

With their arguments in readiness for the October hearing and school about to begin, the attorneys at the last minute found that Murray could not raise the money to attend the law school. Quickly his sister and aunt agreed to sign a note for the money.⁵⁵ By December 1935 the NAACP made the long term financing possible. The actual funds came from the NAACP and the Alpha Phi Alpha Fraternity, but, fearing if the papers discovered Murray could not meet the financial obligations, the bad publicity would adversely affect the Court's decision, the officials decided to say that the funds had been a donation from a friend. They did not want the extent of their involvement in the case known.⁵⁶

Houston was ever aware of public relations and made suggestions regarding Murray's registration:

The main thing I want to do now is get the Murray case in the bag. You arrange to have Murray ready to go down on Wednesday. Also, arrange to have photographers present to snap Murray when he enters and when he comes out. I suggest that you go with him. The *Afro*, of course, will want to get pictures but we also want to have cuts made and distribute them all over the country. There is nothing like a picture to convince.⁵⁷

Registration ran smoothly. Dean Roger Howell of the law school suggested that Murray should not come on the first day of classes so that he and a student council member could speak to the student body. He also suggested that Murray seat himself apart from the other students in classes, although this brought objections. He was then allowed to sit anywhere until seats were assigned.⁵⁸ Later the dean thought better of his proposed pep talk to the students, and Murray attended classes on the first day. Any fears of disorder occurring because of Murray's attendance were dispelled when a popular student from an Eastern Shore community where a mob had recently burned a black man alive greeted Murray cordially and sat next to him.⁵⁹ While relieved to be treated normally, Murray expressed some disappointment that he did not have a chance to find "what one says before bringing an amiable but rude species to feast at the table of civilized learning."⁶⁰ Donald G. Murray was finally a student at the University of Maryland School of Law and had only to await the Court of Appeals' decision.

54. Robert P. McGuinn to Marshall, August 15, 1935.

55. Marshall to Houston, September 17, 1935.

56. Houston to Marshall, December 23, 1935 and Marshall to Ransom, January 8, 1936.

57. Houston to Marshall, September 21, 1935.

58. Marshall to Houston, September 24, 1935.

59. Walter White, *A Man Called White* (New York, 1948), p. 161.

60. From a handwritten, unsigned, and undated manuscript. The handwriting compares to other correspondence by Murray. Presumably this piece was in answer to a request by Houston that Murray write on his experiences since his entry into Law School (Houston to Marshall, December 16, 1935). This came following a comment to Houston "It seems to me that, if anything, the behavior of the university after a Negro has entered is of more significance than the preceding legal battle. After all, the courts are faced only with extreme situations; the more intimate and consequential behavior is day to day life which never gets into the laps of judges" (Howard C. Westwood to Houston, December 11, 1935). In spite of this, no article of Murray's appeared.

On January 15, 1936, the Court of Appeals upheld the Circuit Court's decision, Judge C. J. Bond delivering the opinion. The "separate but equal" doctrine from *Plessy v. Ferguson* ironically was used in deciding in favor of Murray, for "the State has undertaken the function of education in the law, but has omitted students of one race from the only adequate provision made for it. If those students are to be offered equal treatment in the performance of the function they must at present be admitted to the one school provided."⁶¹

Later praised for his daring in making such a decision, Bond wrote:

It was kind of you to write of your gratification at the decision in Murray's case. The decision seemed clearly required by the law, however, and I, for one, was not conscious of any courage in writing it so. But other decisions of ours in cases of Negroes in recent years seemed to startle others, and I daresay this one will have an extensive effect, as you say. It will amuse you to hear that after the Murray decision I received some "write-ins," such as are sent in to broad-casting stations, a novelty in judicature. They all expressed pain, but did it courteously and respectfully.⁶²

The NAACP and Donald G. Murray had made history through the decisions of the Maryland courts. They had only to protect the investment they had made by seeing that Murray remained in school and graduated.

The NAACP watched Murray carefully not only to be sure that he had satisfactory grades, but also that he presented a proper image in his role as the first black student at the University of Maryland School of Law. With first semester exams approaching, Marshall made arrangements with Leon A. Ransom of the Howard University Law School to help prepare Murray for the exams. "As it stands now, everything depends upon you and Murray and if anything happens, both of you will have to find some other place to live."⁶³ Murray's life was guided and nearly lived for him during these crucial periods. "Whatever happens, we must not have this boy fail his examinations. We have got to teach him how to answer questions, too. Impress upon Murray also that from now on, girls are nix until after his examinations."⁶⁴

Murray later admitted that he had had some difficulty in getting accustomed to legal study⁶⁵ and his grades indicated this, for they continued to improve throughout the course of study.⁶⁶ Much credit is due to both Houston and Marshall who kept after Murray during his study and guided him in legal procedures. This is to take nothing away from Murray, whose own drive was far beyond the scope of what he could do for the NAACP. He never wished to disappoint his mentors and looked to them for reassurance that he was capable of the tasks. He would not attempt anything beyond normal study without consulting them. He had hoped to win a position on the *Law Review*, but his

61. *Reports of Cases Argued and Adjudged in the Court of Appeals of Maryland*, 169 (April-October Terms, 1935), p. 489.

62. Bond to O. G. Villard, February 7, 1936. Villard passed the letter along to Walter White whom he thought would be interested.

63. Marshall to Ransom, January 8, 1936.

64. Houston to Marshall, January 3, 1936.

65. Murray to Marshall, February 8, 1937.

66. Transcript, University of Maryland Law School, February 10, 1936; Murray to Marshall, no date; Murray to Marshall, February 8, 1937; Murray to Marshall, August 3, 1937.

grades were too low so he wanted assurance from Marshall and Houston that he could prove his "aptness" for the *Law Review* by writing some articles which, if acceptable, would earn him a position.⁶⁷

Murray also wanted to support the NAACP through its Youth Council, but he felt he did not have the time. "I don't want to become involved in something I can't do justice to and I feel that I couldn't."⁶⁸ He was interested in bettering himself by "taking everything they offer" at the law school⁶⁹ and in this way may have over-extended himself. However, this shows the broad personality of the young man who, as the "first ambassador" and with the "responsibility for those to come,"⁷⁰ still viewed his presence at Maryland not simply as a case for the NAACP but as a time for personal growth and development in his chosen profession. This was quite a responsibility indeed that he placed upon himself.

At one time during the course of his study there was some controversy as to his acceptance by other students. Murray had indicated that "the attitude of students has ranged from...courteous kindness to simple non-committal acceptance."⁷¹ In 1937 he declared that "racial relations are in a very fine state. I am a persona gratis."⁷² Yet a study by Carl Murphy's *Afro-American* staff indicated that students wished to get rid of Murray and felt that the professors would see to it that he failed.⁷³ These indications proved to be incorrect, for in June of 1938 the hopes of both Murray and the NAACP were realized when he graduated from the University of Maryland School of Law.

In letters thanking the principals of the NAACP for their aid, Murray said that "for what I was unable to accomplish scholastically I hope that I have been able to compensate in what I might call the field of 'racial relations.'"⁷⁴ "I have been aware during my three years in the Law School of the responsibility which rested upon me...of developing within the minds of the students and faculty 'a new concept of the Negro.' As I told Thurgood I feel that perhaps in some small way I have."⁷⁵

Donald G. Murray had reason to be pleased with his role and his accomplishments. Advised by Houston to be thoroughly prepared before taking the bar exam, he waited to take it the following November. Houston warned:

At the present time you have a distinction which no other Negro enjoys: graduation from the school of law of the University of Maryland. This should bring you to the bar with a great advantage but you will throw all this away if you flunk the bar examination.⁷⁶

Houston was not about to give up his role as guardian of Murray solely because he had graduated. Murray still represented the door to the future of NAACP legal battles. "You deserve a lot of credit for what you have already done and I hope

67. Murray to Marshall, February 8, 1937.

68. *Ibid.*

69. *Ibid.*

70. Houston to Murray, February 11, 1937.

71. Unsigned manuscript, NAACP Papers.

72. Murray to Marshall, February 8, 1937.

73. Press release, January 31, 1936, *Afro-American*, NAACP Papers.

74. Murray to Houston, June 6, 1938.

75. Murray to White, June 6, 1938.

76. Houston to Murray, June 9, 1938.

that this is merely a promise of great things to come."⁷⁷ In some ways Murray lived up to these expectations but more than that, having made his sacrifices for his people, he became his own man once more, and lived a simple life of public service, not seeking notoriety. He passed the bar exam and set up practice in Baltimore. During World War II he served in the Army Quartermaster Corps. For a time after the war he was appointed a Liquor License Inspector and a member of the Motion Pictures Censor Board in Baltimore. For the most part he chose to remain a family man and father of three sons who maintained a general legal practice. He felt that the most important Civil Rights action with which he was involved was the research he did for Marshall that won Esther McCready entrance into the Maryland Nursing School in 1950. Murray has chosen to remain obscure, devoting his life to the profession of law which he had striven so hard to enter.⁷⁸

As a result of the Murray case there was an increase in the amount of money in the black students' scholarship fund for out-of-state study. This, the university officials hoped, would ward off a large desegregation movement. Princess Anne Academy was also enlarged, although not nearly in the expansive manner of the whole university, and only in the less academic areas of homemaking, mechanics, and recreation.⁷⁹ So the inequalities continued to exist.

The hope of the NAACP that the Murray decision would settle the desegregation issue once and for all time at Maryland was not realized immediately. While Murray was in attendance, a second black student was admitted to the law school. Yet in 1939, one year after Murray's graduation, a third student, William H. Murphy, nephew of Carl Murphy, was denied entrance to the law school until the NAACP reminded the school of its responsibility.⁸⁰ The law school, however, remained the only desegregated section of the University of Maryland, for in the late 1940s a black man was denied admission to graduate study in chemistry⁸¹ and not until 1950, as Murray had indicated, did the nursing school join the law school as a desegregated segment of the University.

But the case of Donald G. Murray had set a precedent. It had given the NAACP the ammunition and drive to continue its fight against unequal education for blacks. Perhaps the only unfavorable factor in the Murray case is that it was decided in the Court of Appeals of Maryland and never reached the Supreme Court of the United States. But even had it gone that far, there is no guarantee the Supreme Court then would have ruled in favor of integration. Such a decision, however, came from the Warren court in 1954, almost two decades after Murray's case began. Nevertheless the precedent had been set and Murray, himself, could have the knowledge that he had "made a worthy achievement."⁸²

77. Houston to Murray, June 4, 1938.

78. Baltimore *Evening Sun*, July 22, 1965, and Baltimore *Sun*, December 30, 1935.

79. Callcott, *University of Maryland*, pp. 306-307, 313-14, and Board of Regents Minutes, December 16, 1938.

80. Murphy to Marshall, September 5, 1939.

81. White, *Man Called White*, p. 161.

82. Murray to Walter White, June 6, 1938. This was the comment made to Murray by an elderly white lady as he passed by her following his graduation.

Patents by Marylanders, 1790–1830

G. TERRY SHARRER

THE GREAT INVENTORS IN THE EARLY REPUBLIC—ELI WHITNEY, ROBERT FULTON, Peter Cooper, Cyrus McCormick—have an almost heroic stature in American history because of the technological changes they fathered. However, without detracting from individual genius, inventiveness in the newly emerging American nation actually grew out of social needs and desires, the level of economic development, and an accumulation of technical knowledge existing at that time. Between 1790, when the U. S. Patent Office opened, and 1830, the beginning of the railroad era, Americans patented 7,605 inventions. A few achieved spectacular success, while many proved useless for a variety of reasons. Most made modest contributions to material advancement. Yet in total, these inventions represented a new accumulation of knowledge, tried and true or busted, from which later technological changes sprang.

Marylanders patented 255 inventions between 1790 and 1830. Englehart Cruse's steam engine (August 26, 1791) was the first of these. Some basic observations appear from a simple numerical quantification. First, the leading categories of invention were, in order, calorific and steam apparatus (53), common trades (36), factory machinery (35), navigation (28), and agriculture (26). The popularity of the categories is almost inversely proportional to their comparative importance in the state's economy, either by the number of people employed or the value of the product. Second, urbanites accounted for more inventions than country people. Baltimore inventors took out 179 patents or 70 percent of the total. Further, Baltimoreans held 42 percent of the agricultural patents. Perhaps that reflected not only Baltimore's economic dominance, but its interest in statewide growth as well. Third, the frequency of invention showed a surprising equality over time. About 42 percent of the patents had dates before 1816, with 58 percent afterwards. In the categories of factory machinery, hydraulics, calorific and steam apparatus, horology, chemical compositions, and fine arts, more inventions occurred before or during the War of 1812. Of course, such a simple count reflects nothing on the quality of invention.¹

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1. *Letter from the Secretary of State Transmitting a List of All Patents Granted by the United States, the Acts of Congress Relating Thereto, and the Decisions of the United States Under the Same* (Washington, 1831), *passim*.

Before the Federal patent system, the state legislature granted patent rights. Oliver Evans, for example, held a Maryland patent of 1787 before his Federal patent of 1790 for automatic machinery that revolutionized flour milling. The absence of a national patent system required inventors to seek patents from each state, a costly, time-consuming process that led to much rivalry as in the cases of James Rumsey, John Fitch, and Englehart Cruse, all of whom are discussed elsewhere in this issue. The Constitution (Article I, Section 8) gave Congress authority "to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writing and discoveries." An Act of April 10, 1790, established the rules for operation.²

An inventor had to submit his claim, with drawings and a model (in some cases), to an examination board comprised of the secretary of state, the secretary of war, and the attorney general. Unlike English law, where courts decided patents, the examination board could grant patents which stood as prima facie evidence that the invention was accurately described and that the patentee was the first inventor (not necessarily the first to apply for the patent). Thomas Jefferson, as secretary of state (1789-93) and thus chief patent examiner, believed that patents created "monopolies" injurious to the theory of popular government. Under his supervision, the United States granted three patents in 1790, thirty-three in 1791, eleven in 1792, and twenty in 1793. Interestingly, the number of annual patents granted never rose above 100 until the last year of Jefferson's second presidential administration. In 1814 Jefferson became involved in a dispute between Oliver Evans and several Baltimore millers over the patent rights to the automatic milling machinery. Jefferson supported the millers' objections to Evan's "monopoly," even though as president he had signed Evan's Federal patent in 1808. True to himself, Jefferson never patented any of his own inventions. Marylanders may well have patented more than 106 inventions before 1816 if someone other than Thomas Jefferson had sat in actual or overshadowing judgment.³

The following list identifies United States patents by Marylanders, 1790-1830. Many of the original papers, or duplicates, and models may yet exist. Probably most do not. On December 15, 1836, fire completely destroyed the Patent Office. Persons with active patents then, going back 14 years, had to resubmit their papers. Another fire on September 24, 1877, destroyed 87,000 models and 600,000 drawings. What students of Maryland history are able to find of these 255 inventions at the Patent Office is first a matter of historical luck and second of diligent search.

2. Greville Bathe and Dorothy Bathe, *Oliver Evans: A Chronicle of Early American Engineering* (Philadelphia, 1935), p. 289.

3. Charles E. Mitchell, "Birth and Growth of the American Patent System," in *Proceedings and Addresses: Celebration of the Beginning of the Second Century of the American Patent System at Washington, D. C., April 8, 9, 10, 1891* (Washington, 1892), p. 48; U. S. Patent Office, *An Account of the Destruction by Fire of the United States Patent Office Building, 24 September, 1877 and A History of the Patent Office from 1790 to 1877* (Washington, 1877), p. 10.

United States Patents by Marylanders, 1790-1830

Item	Inventor	Place	Date
<i>Agriculture</i>			
Clover seed, machine for rubbing out	Nehemiah Price	Frederick County	March 2, 1811
Corn Sheller	John Heavin	Fredericktown	May 8, 1810
Wheat fan	Samuel Weaver	Frederick County	March 11, 1816
Wheat fan	George Hoffman	Fredericktown	August 21, 1829
Fanning mill	Thomas W. Jessup	Fredericktown	June 18, 1811
Grain, cleaning and destroying insects	Joel Morgan	Baltimore	February 28, 1810
Manure or compost for improving soils	Anthony B. Martin	Baltimore	June 2, 1819
Plough	Richard B. Chenoweth	Baltimore	November 25, 1808
Plough	Nicholas Turbutt	Fredericktown	September 7, 1811
Plough	Matthew Murry	Middletown	August 7, 1813
Plough, double	John Cromwell	Roystertown	October 23, 1816
Plough	Samuel Ogle	Graceham	June 9, 1818
Plough	Gideon Davis	Sandy Spring	May 26, 1818
Plough, right and left	George Dofler	Fredericktown	August 20, 1827
Preserving butter, eggs &c	Thomas Edmonson	Pike Creek	April 26, 1827
Smut and garlic, machine for cleaning wheat	Thomas Wilson	Baltimore	February 8, 1819
Smut and garlic machine	James Gillaspie	Middletown	August 23, 1820
Straw, cleaning grain from	John S. Eastman	Baltimore	January 29, 1822
Threshing machine	Randall Wallis	Baltimore	November 9, 1808
Threshing machine and winnowing machine	Lawrence Hock	Frederick County	February 15, 1809
Threshing machine and cleaning grain	Joseph Coppinger	Baltimore	October 31, 1809
Threshing machine	Thomas Mayfield	Baltimore	December 28, 1818
Threshing machine	William Kirk	Baltimore	July 22, 1823
Threshing machine	Michael First	Uniontown	March 3, 1828
Threshing machine	Thomas G. Owen	Baltimore	November 26, 1829
Winnowing grain	Isaac Bromwell	Baltimore	November 26, 1818
<i>Factory Machinery</i>			
Andirons	John Stickney	Baltimore	May 4, 1805
Blankets, manufacturing improvement on Cobb's machine	Jacob Getzendennar	Frederick County	September 30, 1814
Bolts for ships, made of casting	Joseph Share	Baltimore	October 28, 1805
Cables, laying and spinning ropes for	William Shultz	Baltimore	June 24, 1809
Carding machine	Francis Guy	Baltimore	February 23, 1819
Candles, manufacturing of tallow and wax	James Zwisler	Baltimore	April 2, 1812
Chair	Jacob Daley	Baltimore	February 22, 1827
Combs, manufacturing and plating horn with tortoise shell	John P. Spies	Baltimore	January 8, 1810

Item	Inventor	Place	Date
Cups and saucers, Columbia metallic	John Love	Baltimore	June 14, 1814
Flax and hemp, preparing for spinning	John Owings	Baltimore	March 5, 1812
Hats, napping	James Long	Maryland	August 5, 1799
Hats, manufacturing	Henry Lainhart, Jr.	Baltimore	July 6, 1809
Hats, water proof stiffening for	William Ruckles	Baltimore	November 28, 1817
Hats, lathe for stiffening	Henry Raymond	Baltimore	November 20, 1820
Loom	John M. Guiramond	Baltimore	January 7, 1814
Nails and brad cutting	Peter Zacharie	Maryland	May 4, 1796
Nails, cutting and heading	George Chandler	Maryland	December 12, 1796
Nails, manufacturing and brads from rolled iron	Joseph Elgar	Brookville	December 16, 1803
Nails, cutting and heading	Elisha Bigelow	Baltimore	April 1, 1807
Nails, cylindrical vibrating machine	Eb. A. Lester	Baltimore	December 27, 1815
Nails, cutting	Roswell Noble	Baltimore	December 17, 1816
Nails, manufacturing sprigs and brads	Roswell Noble	Baltimore	May 17, 1819
Plane, irons	Per. [egrine] Williamson	Baltimore	September 9, 1825
Plates and sheets made from iron	Evan J. Ellicott	Baltimore	May 28, 1818
Rollers impressed, for making knives and forks, &c	John Owings	Baltimore	January 25, 1814
Rolling bar, iron edgewise	George Ellicott	Baltimore	September 20, 1816
Saw, horizontal, vertical, or radial	Adam Stewart	Baltimore	July 5, 1817
Saw, belt or band	Adam Stewart	Baltimore	July 5, 1817
Shearing cloth	John D. Smith	Fredericktown	May 24, 1816
Shot manufacturing and bullets	Peregrine Williamson	Baltimore	May 12, 1813
Shovels, swagging or setting	Upton Reid	Joppa X Roads	August 31, 1810
Spinning wheel for cordage	William B. Dyer	Baltimore	February 27, 1808
Spoons, manufacturing	Thomas Bruff	Maryland	September 14, 1801
Twine, laying and twisting seine	Joseph Clarkson	Baltimore	August 5, 1821
Warping and dressing cotton goods	James Morgan	Baltimore	April 5, 1821
<i>Navigation</i>			
Ark, safety	William Hollins	Baltimore	May 4, 1824
Binnacle lights	Joseph F. Smith	Baltimore	June 1, 1825
Boat, iron	Thomas I. Bond	Baltimore	December 21, 1820
Fish catching, by floating wharves	A. Bailey	Havre de Grace	June 24, 1820
Floating vessels	John Denny	Queen Anne's County	October 3, 1822
Hoisting machine	William Purden	Baltimore	March 19, 1806

Item	Inventor	Place	Date
Mud Machine	Peter Zaccharie	Baltimore	November 24, 1791
Mud Machine	William Schultz	Baltimore	June 16, 1809
Mud Machine	James Tucker	Baltimore	December 13, 1816
Mud Machine	Bratt	Baltimore	February 18, 1825
Navigation, improvement	John J. Giraud	Baltimore	January 31, 1827
Oar head	Cornelius Seaman	Washington Co.	August 15, 1817
Paddles for wheels, gear- ing and un gearing	B. S. Doxey	Baltimore	February 9, 1821
Paddles, water	J. J. Giraud	Baltimore	September 18, 1827
Propelling boats	John J. Giraud	Baltimore	April 10, 1818
Propelling ferry boats	Robert Spedden	Easton	August 26, 1819
Propelling boats by wings	Joseph S. Dyster	Baltimore	February 9, 1820
Propelling boats	John J. Giraud	Baltimore	April 19, 1820
Propelling vessels	John J. Giraud	Baltimore	November 22, 1820
Propelling vessels and boats	John J. Giraud	Baltimore	December 12, 1826
Propelling ships &c.	Anthony Hermange	Baltimore	May 31, 1828
Propelling ships, &c.	Anthony Hermange	Baltimore	November 26, 1828
Propelling ships, im- provement on Her- mange and Steenstrip's	Anthony Hermange	Baltimore	November 26, 1828
Preserving wood from marine insects	Robert L. Nicolls	Easton	February 23, 1811
Steam boat or floating battery	George Stiles	Baltimore	April 4, 1815
Table, sea	William H. Richardson	Baltimore	June 8, 1809
Wheel for steam boats	John Giraud	Baltimore	September 15, 1826
Wheel inside lever, pro- pelling	John Giraud	Baltimore	December 1, 1829
<i>Land Works</i>			
Bridges chain, improve- ment on Finley's	John Templeman	Alleghany County	August 16, 1808
Carriage, railway	William Howard	Baltimore	November 22, 1828
Carriage, railroad	Hugh Finlay	Baltimore	October 27, 1829
Fencing	Richard Weems	Maryland	March 16, 1801
Friction wheels for rail road carriages	H. B. Chew	Baltimore	April 9, 1829
Locomotive engine	William Howard	Baltimore	December 10, 1828
Rail roads and carriages	Isaac Knight	Baltimore	June 11, 1829
Telegraph	William Shultz	Baltimore	June 14, 1809
Transporting and convey- ance machine	John J. Reckers	Baltimore	July 21, 1828
Wagon for removing earth	John Owings	Baltimore	August 27, 1824
Wharves, construction	James Butler	Baltimore	September 9, 1813
<i>Common Trades</i>			
Bedstead, improvement in the	Daniel Powles	Baltimore	October 31, 1821
Bedstead, improvement in the	Isaac Cooper	Baltimore	February 22, 1825
Bedstead, improvement in the sacking bottoms	Daniel Powles	Baltimore	January 26, 1827

Item	Inventor	Place	Date
Beds, improvement in the mode of warming	Peter Lannay	Baltimore	November 11, 1823
Bench, improvement in the	Jno. Greenholt	Westminster	June 9, 1818
Boots, improvement	Jno. Vernon	Baltimore	October 21, 1811
Boots, improvement manufacturing elastic	Pierre Azam	Baltimore	September 24, 1816
Boots and shoe lasts, right & left	William Young	Baltimore	June 10, 1817
Brick making	Adam Stewart	Baltimore	April 8, 1819
Brick, fire	Richard W. Smith	Baltimore	September 27, 1825
Churn, improvement in the	Reuben Buck	Baltimore	June 23, 1807
Churn, improvement in the	Artemas Bills	Baltimore	July 29, 1816
Churn, improvement in the forcing valve piston	Benjamin Cashwa	Clear Spring	January 24, 1829
Clay, machine tempering	John Matthews	Baltimore	July 6, 1809
Cradle improvement, rockers and chair	Samuel Simmons	Baltimore	December 21, 1819
Felloes, machine for sawing	Samuel Fahrney	Washington Co.	December 9, 1829
Frame for finishing ladies dresses	James R. Williams	Baltimore	March 3, 1824
Leather, elastic water proof	Peter Lannay	Baltimore	December 4, 1816
Measuring and cutting garments	Stephen Severson	Baltimore	March 15, 1826
Mitre machine	Zaccheus Kelley	Easton	April 22, 1812
Planing machine	Joseph Coppinger	Baltimore	October 31, 1809
Razor straps	Jona Crumbacker	Union	December 24, 1819
Razor straps	John M. Fors	Baltimore	October 2, 1821
Razor straps	Jac. Houch	New Market	January 24, 1822
Saddles, spring	Charles Klasson	Baltimore	May 22, 1816
Sausage, machine for cutting	Samuel Fahrney	Washington County	December 9, 1828
Shingle machine	Joseph Coppinger	Baltimore	October 31, 1809
	John Coleman	Baltimore	December 31, 1813
Slates, polishing and framing cyphering			
Slates, manufacturing	Thomas Symington	Baltimore	November 17, 1828
Stirrups, manufacturing	Daniel Powles	Baltimore	January 26, 1827
Stirrups, irons	Joseph Towson	Baltimore	May 14, 1827
Tewell and water back	Gideon Davis	Sandy Spring	May 26, 1818
Veneers, machine for sawing	Adam Stewart	Baltimore	July 5, 1817
Washstand	John Williams	Baltimore	March 15, 1828
Washing machine	William Buckman	Annapolis	March 23, 1809
Window blinds	George Munger	Cambridge	March 20, 1817
<i>Wheel Carriages</i>			
Boxes with anti-friction rollers	William Edwards	Baltimore	September 11, 1817
Carriages, propelling	William Ferris	Maryland	April 29, 1797

Item	Inventor	Place	Date
Carriages, calash top	George Holloway	Baltimore	September 9, 1825
Carriages, propelling	Milton F. Colburn	Baltimore	April 7, 1829
Horses "danger escape" to disengage them from carriages	William Start	Greensborough	May 3, 1816
Springs, folding or spiral for carriages	James Armour Jr.	Baltimore	June 27, 1808
Trace and bar, elastic by connected springs	Benj. Giddins	Baltimore	December 10, 1808
<i>Hydraulics</i>			
Boxes, pump	John Stickney	Baltimore	May 1, 1804
Cock water	Eb. Hubbal	Baltimore	October 4, 1820
Cock, metallic screw	Jer. Garey	Baltimore	April 23, 1822
Filtering water	Jos. Smith and Benj. D. Galltin	Baltimore	June 24, 1806
Hydraulic machine	Joseph James	Lynganore	November 18, 1818
Pump spring	William Finn	Baltimore	February 13, 1806
Pump, mechanical	William Shultz	Baltimore	June 24, 1809
Pump applying power to common	Noah Underwood	Baltimore Co.	July 17, 1828
Pump	John W. Hillias	Baltimore	September 16, 1829
Water raising	William Faris	Maryland	May 17, 1799
Water raising	Seraphim Bellig	Baltimore	November 7, 1805
<i>Calorific and Steam Apparatus</i>			
Atmospheric engine	E. & J. Prentiss	Baltimore	June 22, 1824
Bath, double still steam	John J. Giraud	Baltimore	April 18, 1804
Boiler and rectifying still (boiler patented to Tim Kirk, still patented to William Chamberlain)	William Eaton	Baltimore	October 29, 1810
Boiler	Royal Yeaman	Baltimore	November 20, 1817
Boiler, steam	Royal Yeaman	Baltimore	January 9, 1815
Boiler for anthracite coal	John Barker	Baltimore	February 7, 1827
Boiler, steam	Anth'y Hermange	Baltimore	November 26, 1828
Caboose [ship's stove, editor's note]	John Bouis	Baltimore	December 31, 1812
Charcoal for gunpowder	Fielder Parker	Pr. George's County	July 25, 1815
Chimneys, improvement in	Richard Stuart	Maryland	February 24, 1797
Chimney's improvement, the machine for clean- ing	John Bruff	Baltimore	December 16, 1814
Chimneys, the machine for sweeping	John Hunt	Baltimore	July 12, 1817
Chimney, improvement, preventing smoke	Frederick Crey	Baltimore	October 8, 1821
Coffee roaster	Peregrine Williamson	Baltimore	March 20, 1820
Coffee roaster	Peregrine Williamson	Baltimore	June 18, 1825
Cooking, steam appara- tus	John Bouis	Baltimore	January 6, 1812
Distilling	John J. Giraud	Baltimore	June 14, 1811

Item	Inventor	Place	Date
Distilling	Pierce Woods	Frederick County	September 29, 1818
Distilling cordials	Lewis C. & Phil Bodman	Baltimore	September 30, 1825
Fireplace, grated	Augustus Graham	Fredericktown	November 24, 1810
Fireplaces	Joseph Magini	Baltimore	February 4, 1822
Fireplaces and chimneys	Cyrus Blood	Washington County	April 7, 1825
Gas and Heated air in aid of steam power	Minus Ward	Baltimore	May 15, 1827
Gas inflammable, during the combustion of an- thracite coal	M. Ward & R. W. Hall	Baltimore	January 19, 1828
Heating plates for hot pressing	Moses A. Quigley	Washington County	June 15, 1819
Illuminator for stair cases	John H. Ross	Baltimore	June 24, 1808
Kiln, Lime	William Gorsuch	Baltimore	August 17, 1811
Kitchen summary	John Bouis	Baltimore	January 19, 1826
Lamp and liquids to be burnt therein	Joseph Hawkins	Baltimore	April 21, 1810
Ovens	John Bouis	Baltimore	December 30, 1812
Ovens, bake	Henry Reip	Baltimore	September 27, 1825
Refrigerator	Thomas Moore	Maryland	January 27, 1803
Refrigerator for distiller- ies	L. C. & P. Bodman	Baltimore	January 6, 1826
Steam engine, improve- ment on Savery's	Englehart Cruse	Baltimore	August 26, 1791
Steam engine	Junia Curtis	Baltimore	August 8, 1815
Steam engine	William Church	Baltimore	July 11, 1818
Steam engine	Elisha Bigelow	Baltimore	November 6, 1826
Stills	Lewis Geauty	Maryland	August 4, 1803
Stills, double perpetual	John J. Giraud	Baltimore	December 22, 1810
Stills, steam, perpetual	John J. Giraud	Baltimore	May 15, 1811
Stills	John J. Giraud	Baltimore	June 26, 1813
Stills, wooden and distill- ing	John J. Giraud	Baltimore	August 3, 1813
Stills, steam perpetual	John J. Giraud	Baltimore	March 24, 1814
Stills	Jos. White	Baltimore	January 15, 1816
Stoves for drying grain	David Ellicott	Maryland	May 1, 1801
Stoves	Augustus Graham	Fredericktown	November 6, 1810
Stoves, chimney	Charles Varle	Fredericktown	July 1, 1814
Stove	Anthony B. Martin	Hagerstown	December 26, 1816
Stove pipes	John Cudlipp & Geo. Price	Baltimore	November 18, 1818
Stoves, stills and boilers	John J. Giraud	Baltimore	April 19, 1820
Stoves, cooking	David Little	Hagerstown	February 1, 1826
Stoves, chimneys, fur- naces and steam	John J. Giraud	Baltimore	February 10, 1828
Torpedo	Eb. Ford	Baltimore	April 14, 1814
<i>Mills</i>			
Cattle mill	La Paype (aine) [sic]	Baltimore	November 4, 1805
Coffee mill	Thomas Bruff, sen	Maryland	January 8, 1798
Friction cylinder, co- operating	John P. Sawin	Roxbury	January 24, 1811
Grinding ores into powder	Henry Alexander	Baltimore	October 27, 1813

Item	Inventor	Place	Date
Grist mill	William Forward	Harford County	June 15, 1827
Plaster mill	Eman'l Kent	Baltimore	September 14, 1804
Powder, granulating	William F. Richardson	Baltimore	August 3, 1822
Saw mill	David & M. Fountain	Eastern Shore	April 5, 1817
Saw Mill	John Bruff	Somerset County	August 16, 1821
Tide Mill	Josiah Cleaveland	St. Mary's County	October 22, 1816
Tide Mill	Robert Spedden	Talbot County	August 1, 1827
Water mill	John Owings	Baltimore	January 25, 1814
Wheel, vertical horse	John A. Morton	Baltimore	July 21, 1815
Wheel, floating	John Owings	Baltimore	September 9, 1816
Wheel, water	Elisha Hale	Baltimore	July 5, 1820
Wheel, water, pedal horizontal	J. J. Giraud	Baltimore	February 3, 1821
Wheel, inclined, horse	N. H. Shaw	Charlotte Hall	October 9, 1824
Wind mill, horizontal	Samuel Goodwin	Baltimore	October 31, 1803
Windmill	Richard Weems	Annapolis	September 20, 1804
<i>Lever and Screw Power</i>			
Brick press	Julius Willard	Baltimore	May 2, 1826
Tobacco press	Simon Frazer	Nottingham	March 23, 1820
Tobacco press and iron case	Jehu Gallaway	Baltimore	April 2, 1824
<i>Surgery</i>			
Teeth, setting natural and artificial	William R. Eagleson	Baltimore	October 4, 1817
Teeth, extracting	Thomas Bruff	Maryland	July 1, 1797
Teeth, preventing their decay	H. H. Hayden	Baltimore	February 11, 1824
Vaccinator, spring	William Haslett	Baltimore	April 17, 1817
<i>Mathematical Instruments</i>			
Lotteries	J. I. Cohen	Baltimore	March 3, 1825
Lotteries, constructing and drawing	William C. Conine	Baltimore	November 14, 1826
Lotteries	J. I. Cohen	Baltimore	August 28, 1828
Lotteries, constructing and drawing	Moses Davis	Cumberland	May 9, 1825
Measuring heights and distances	Benjamin Wilmer	Baltimore	August 20, 1819
<i>Horology</i>			
Clocks, balance pendulum	James Goodwin & Richard Gaines	Baltimore	January 22, 1806
Clocks, over balance pendulum	Saml. Goodwin	Baltimore	July 7, 1809
<i>Chemical Compositions</i>			
Anti-bilious grand depurative gurider	John J. Giraud	Baltimore	September 9, 1817
Cement for roofs of houses	Charles Morneweck	Baltimore	March 13, 1809
Composition for roofs and floors of houses	Louis De Niroth	Baltimore	February 3, 1807

Item	Inventor	Place	Date
Composition to prevent scurvy	James U. Armour	Fredericktown	September 28, 1827
Composition used in the fusion of metals or ores	Henry B. Chew and E. V. Freeman	Baltimore	April 7, 1829
Copperas, making	Isaac Tyson	Baltimore	February 15, 1827
Elixir of Life	Jules Rucco	Baltimore	March 29, 1817
Lead white, and flake white manufacturing	Elisha De Butts	Baltimore	May 5, 1814
Mineral water, artificial	Joseph Hawkins	Baltimore	September 7, 1809
Oil, Columbian	Thomas Paul	Baltimore	February 23, 1811
Oil, pyroligneous and acid, used in tanning	Horace H. Hayden	Baltimore	November 26, 1823
Ores, improvement in working	Vincent King & Jer. King	Belair	May 30, 1811
Paint and colors, preparing	Hy Alexander	Baltimore	January 14, 1813
Tanning leather	William Hollingsworth	Elkton	July 30, 1811
<i>Fine Arts</i>			
Pen, metallic, writing	Peregrine Williamson	Baltimore	November 22, 1809

John Nicholson and the Great Steamboat Rivalry

ROBERT D. ARBUCKLE

JOHAN NICHOLSON, A PENNSYLVANIA LAND SPECULATOR, FINANCIER, AND ENTREPRENEUR, was among those in the late eighteenth century who were interested in steamboat development as a way of enhancing their personal fortunes. Nicholson was an investor, not an inventor, and his willingness to promote anyone whose ideas might bring him profit ultimately got him embroiled in the controversy between James Rumsey and John Fitch over who first perfected an operational steamboat. The tragic Fitch-Rumsey rivalry, which brought ruin to both and significantly delayed the perfection of a practical steamboat, is unfortunately an all-too-common story of early inventors. Nicholson's relationship with the two men well illustrates the frustration and failure associated with the development of the steamboat.

James Rumsey and John Fitch both worked on boats propelled by steam in the 1780s and each claimed priority over the other as the inventor of the steamboat.¹ After the Revolution, Rumsey, lived and experimented with self-propelled boats at Shepherdstown, West Virginia. In 1784 he showed his boat to George Washington, and Washington certified that he had seen Rumsey's boat run against the stream by the force of water acting on a wheel to which setting poles had been attached. Washington confessed that steam was not used but that Rumsey had discussed its use with him prior to 1785.² Rumsey then built a boat propelled by steam and demonstrated its use on the Potomac in 1787. Rumsey wanted to patent his invention but since there were no national patent laws in the 1780s, petitions had to be submitted to the individual states. Consequently, in 1787 Maryland and Virginia granted Rumsey the exclusive privilege of making and selling his boat for a period of ten years.³ However, in 1785 Fitch also petitioned the Maryland legislature for a monopoly for his boat which Fitch also claimed was run by steam. Confronted by two conflicting claims, the Maryland

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1. George Beltzhoover, *James Rumsey, The Inventor of the Steamboat* (Morgantown, 1900), pp. 14-16; Thompson Wescott, *Life of John Fitch, The Inventor of the Steam-boat* (Philadelphia, 1857), pp. 28-29, 45, 57; James Flexner, *Steamboats Come True* (New York, 1944), pp. 67-74, 91-92, 127-40; John Morrison, *History of American Steam Navigation* (New York, 1958), pp. 5-12.
2. Washington testimony, Nov. 22, 1787, in James A. Padgett, ed., "Rumsey Documents," *Maryland Historical Magazine*, 31 (1936); 185-88; George Washington, *Diaries of George Washington 1744-1799*, ed. John C. Fitzpatrick, 4 vols. (Boston, 1931-44), 2: 282-84; Beltzhoover, *Rumsey*, pp. 15-16; Ella May Turner, *James Rumsey, Pioneer in Steam Navigation* (Scottsdale, Pa., 1930), p. 7.
3. James A. Padgett, ed., "Rumsey Documents," *Maryland Historical Magazine*, 32 (1937: 141-42; Turner, *Rumsey*, pp. 16, 75-76; Beltzhoover, *Rumsey*, p. 16.

legislature referred the matter to a committee which decided to accept Rumsey's claim because he had the idea of using steam to move boats before 1785, the year Fitch first conceived of it.⁴ A heated debate took place in 1788 between the two. George Washington championed Rumsey's cause in the dispute and Thomas Jefferson called Rumsey "the most original and the greatest mechanical genius I have ever seen." Even a biographer of the man who most often is given credit for the first successful steamboat, Robert Fulton, stated that Rumsey was the "first to bring to a practical issue" hydraulic jet propulsion.⁵ Another who supported Rumsey's claim and efforts was John Nicholson.

Both Fitch and Rumsey, in their attempts to monopolize the field, sought financial help to construct their boats. In March 1788 Rumsey informed Washington that he was going to Philadelphia to try to enlist financial support and that his brother-in-law, Joseph Barnes, who helped him build his first boat, would follow with the machinery.⁶ Barnes, operating later from London, would serve as one of Nicholson's chief land agents in Europe. When Rumsey arrived in Philadelphia, he was confronted with the opposition of a company Fitch had formed with Henry Voight, later chief coiner of the Mint of the United States, as its major supporter. To end the conflict, Rumsey offered to form a partnership with Fitch, but when Fitch only offered him one-eighth of the proceeds, Rumsey refused.⁷ Rumsey then formed a company of his own called the Rumsean Society to enable him to complete his work on steamboats and to finish an engine for use in various kinds of mills. According to the Articles of Agreement, Rumsey was to retain one-half interest in his inventions and the other half was divided into fifty shares with subscribers ultimately to pay sixty Spanish milled dollars per share. Rumsey gave land as security for the completion of his work. Among those subscribing were William Bingham, Benjamin Franklin, James Trenchard, and Burgess Allison, the latter two future partners of Nicholson's—and the man who took out shares for Nicholson, Benjamin Wynkoop.⁸ Meanwhile, Fitch had secured patents from New York, New Jersey, Pennsylvania, and Virginia and was on his way to Europe to seek patents there. Rumsey then applied to the Society for an additional \$1,000 so that he could also go to Europe to seek patents and the request was granted.⁹

Joseph Barnes remained in America to supervise construction of Rumsey's engines and machines and to seek a patent from the United States Congress, as the first patent law was pending in 1789.¹⁰ The Rumsean Society, during

4. Padgett, "Rumsey Documents," (1936), p. 189; Beltzhoover, *Rumsey*, p. 16; Turner, *Rumsey*, p. 69; H. A. Gosnell, "The First American Steamboat: James Rumsey Its Inventor, Not John Fitch," *Virginia Magazine of History and Biography*, 40 (April, 1932): 125.

5. Washington to Rumsey, Jan. 31, 1786, George Washington, *The Writings of George Washington*, ed. Jared Sparks, 12 vols. (Boston, 1835), 12: 19; Thomas Jefferson, *The Writings of Thomas Jefferson*, ed. Paul L. Ford, 10 vols. (New York, 1892-99), 7: 328; Henry W. Dickinson, *Robert Fulton, Engineer and Artist* (New York, 1925), p. 127.

6. Padgett, "Rumsey Documents," (1937), pp. 143-44; Turner, *Rumsey*, pp. 113-14.

7. Padgett, "Rumsey Documents," (1937), p. 145; *Philadelphia General Advertiser*, March 8, 1793; Westcott, *Life of Fitch*, pp. 186-87.

8. Padgett, "Rumsey Documents," (1937), pp. 147-50. See also *Pennsylvania Packet*, Oct. 23, 1789.

9. Padgett, "Rumsey Documents," (1937), p. 146; Turner, *Rumsey*, pp. 120-21; Flexner, *Steamboats Come True*, pp. 131-33, 142.

10. *Pennsylvania Gazette*, Sept. 30, 1789; Flexner, *Steamboats Come True*, p. 147; *American State Papers, Miscellaneous*, eds. Walter Clark and M. S. C. Clark, 38 vols. (Washington, 1832-61), 1: 11.

Rumsey's absence, made effort to get Fitch's patent in New York, Pennsylvania, New Jersey, and New York repealed and did succeed in 1789 in getting Pennsylvania to issue Rumsey a patent for his steam engines.¹¹

While in Europe Rumsey was able to get an English patent for his steam engine, and he proposed in February 1789 to build a ship which, according to Brissot de Warville,

should go to America by the help only of the steam engine and without sails. It was to make the passage in fifteen days. I perceive with pain that he has not yet executed his project . . .¹²

Rumsey's greatest difficulty was the lack of funds, so he sought to form a partnership in England with two other steam engine inventors, James Watt and Mathew Boulton. However, they insisted that he terminate his connection with the Rumsean Society, Rumsey refused, and so these efforts failed. Rumsey eventually went into debt trying to build his models and blamed the Society for not sending him enough money. In 1790 he succeeded in forming a partnership with Samuel Rogers and Daniel Parker in England, but these two also failed to supply the necessary funds.¹³ Rumsey did succeed in building a boat, the *Columbian Maid*, and was preparing for a trial on the Thames when he suddenly died on December 23, 1792.¹⁴ Joseph Barnes then was sent to England by the Society to settle Rumsey's debts, to try to retrieve the £1,000 the Society had given to Rumsey's English partners because the Society had been excluded from Rumsey's English patent, and to take possession of his property.¹⁵

While all of the above was taking place, Nicholson was busy trying to secure a monopoly of the Rumsean Society shares. He was motivated in his support of Rumsey by the desire to utilize the latter's engines in his flour mills, saw mills, and manufactories as well as to use Rumsey's steamboat designs for his own fleet of ships.¹⁶ By 1794 Nicholson and the treasurer of the Rumsean Society, Benjamin Wynkoop, had secured four-fifths of the shares of the Society.¹⁷ By August 1794 Wynkoop was experimenting with nautical machinery of his own and offered to sell his shares at \$300 each to Nicholson so that he could carry on his work. Nicholson did not buy the rest because he was awaiting developments

11. *Pennsylvania Statutes at Large*, 13: 363; Turner, *Rumsey*, pp. 130-34; *Pennsylvania Packet*, Feb. 5, 9, 1789.

12. J. P. Brissot de Warville, *New Travels in America*, 2 vols. (Boston, 1797), 1: 197. See also *Writings of Jefferson*, 5: 165.

13. Padgett, "Rumsey Documents," (1937), pp. 279-81; James Rumsey to Joseph Barnes, Feb. 3, Oct. 10, 1790, John Nicholson General Correspondence, 1778-1800, Public Records Division, Pennsylvania Historical and Museum Commission, Harrisburg, Pennsylvania. (Hereafter cited as Nicholson Correspondence.)

14. *Philadelphia General Advertiser*, March 8, 1793. See also Gosnell, "The First American Steamboat," p. 125; Padgett, "Rumsey Documents," (1937), p. 12; Beltzhoover, *Rumsey*, p. 271; and *Gazette of the United States*, March 2, 1793.

15. Turner, *Rumsey*, p. 202; Flexner, *Steamboats Come True*, pp. 174-75.

16. Richard Stokes to Nicholson, June 13, 1796; Simon Messenger to Nicholson, Sept. 1, 1796, Nicholson Correspondence; Nicholson to Thomas Joubert, July 28, 1797, John Nicholson Letterbooks, VII, Philadelphia, The Historical Society of Pennsylvania. (Hereafter cited as Nicholson Letterbooks.)

17. Wynkoop to Nicholson, Feb. 26, May 16, 30, 1794; James McMeeken to Nicholson, Oct. 20, 1795, Nicholson Correspondence.

in England from the Barnes mission.¹⁸ In addition to securing most of the shares, Nicholson had also secured part interest in Rumsey's English patent,¹⁹ so he was very anxious for Barnes to succeed in Britain in collecting monies due him and in bringing back Rumsey's machines. Samuel Rogers and Daniel Parker carried on Rumsey's work after his death, hence Barnes had to deal with them.²⁰ Rogers and Parker both owed money to the Society, and indirectly Nicholson, and Barnes advised Nicholson that he thought it would be best to terminate the work on Rumsey's experiments in England and to return to America.²¹ But Barnes had difficulty unsnarling Rumsey's affairs and in collecting money owed his promoter. By 1795 he was still involved in England; he was also trying to peddle Nicholson's land company shares and lands.²² The Philadelphian became impatient with Barnes's efforts in 1795 and told him to concentrate more on his land sales and less on trying to settle the Rumsey business.²³ In 1798 Nicholson was still trying to collect monies owed him from the estate of James Rumsey.²⁴

While Nicholson was engaged in these activities with Rumsey, he was also taking care of the possibility that John Fitch's work might prove to be more beneficial than Rumsey's by negotiating deals with Fitch. Fitch, like Rumsey, always seemed to be in dire financial straits, and he sought support from anyone with capital to invest. By 1791 Fitch's company had withdrawn its support and he was living on charity.²⁵ In 1793 he decided to go to Europe to obtain financial aid and to build a boat for one Aaron Vail in Paris. But Vail withdrew his support and Fitch's European efforts failed; it was at this stage that Nicholson became involved with him.²⁶ Nicholson had contracted with Fitch to build him a boat large enough to haul two tons of machinery, two tons of horses, and six tons of passengers and baggage. Nicholson planned to utilize a fleet of boats like this in the carrying trade along the Delaware River. He and Fitch also planned to try to get a Congressional patent on the boat for twenty-five years. Fitch told Nicholson that \$20 a day in profits per boat could be expected.²⁷ Nicholson also agreed to support financially a cattle boat that Fitch had been constructing.²⁸ But the connections with Fitch, like those with Rumsey, proved to be disappointing. Almost immediately Henry Voight, formerly Fitch's principal supporter, contested Fitch's right to construct the boat for Nicholson, claiming that he had the

18. Wynkoop to Nicholson, Aug. 14, 1794, *ibid.*

19. *Ibid.*, March 14, 1796; Nicholson to Major Claiborne, July 5, 1795, Nicholson Letterbooks, II.

20. Joseph Barnes to Nicholson, Aug. 17, 1793; James Trenchard to Nicholson, Oct. 18, 1793, Nicholson Correspondence.

21. Barnes to Nicholson, Aug. 17, 1793, *ibid.*

22. *Ibid.*, Jan. 29, 1794; July 3, 1794; Nicholson to John Henry Cazenove Nephew and Company, May 27, July 2, 1795; Nicholson to Samuel Bayard, Nov. 4, 1795, Nicholson Letterbooks, I, II, III.

23. Nicholson to Barnes, July 7, 1795, *ibid.*, II.

24. Benjamin Wynkoop to Nicholson, June 17, 1798, Nicholson Correspondence.

25. Flexner, *Steamboats Come True*, pp. 187, 191-92; Westcott, *Life of Fitch*, pp. 160-61, 178, 281-88. For a sympathetic account of Fitch's life see Thomas Boyd, *Poor John Fitch, Inventor of the Steamboat* (New York, 1935).

26. Flexner, *Steamboats Come True*, p. 231; Joseph Barnes to Nicholson, Jan. 29, July 3, 1794, Nicholson Correspondence.

27. John Fitch to Nicholson, Jan. 8, 1793, Nicholson Correspondence. See Flexner, *Steamboats Come True*, p. 237.

28. Boyd, *Poor John Fitch*, p. 285.

patent rights for it.²⁹ Coupled with this was the fact that Fitch, in typical fashion, mis-applied funds that Nicholson had given him to be used for the boat. Fitch also took long absences from his work and went to Boston and New York. He kept asking Nicholson for more money, and the *Philadelphian* disgustingly wrote that he never would advance him more "now nor ever will be world without end amen." He concluded by saying that "I wish you and your project had never been seen or known by me."³⁰ So Nicholson withdrew his support, Fitch never did gain financial solvency, and he died in a drunken stupor in 1798.³¹

Historians of the steamboat era have concluded that much would have been gained had Fitch agreed to form the partnership with Rumsey on terms Rumsey could have accepted. They maintain that an operational steamboat would have been developed a generation ahead of Fulton's *Clermont*. One historian has made the point that steamboat inventors all were handicapped by the idea that they should have exclusive privileges on streams and the sole use of their inventions. He claimed that all of them failed to appreciate the frontier's potential productive capacity or how much freight would be available for all of them to share.³² Had Fitch and Rumsey cooperated it probably would have aided Nicholson's operations and certainly would not have been as costly for him. It was a story of lost opportunity for everyone involved.

29. Henry Voight to Nicholson, Jan. 7, 1793, Nicholson Correspondence.

30. Nicholson to Fitch, July 5, 1795, Nicholson Letterbooks, II.

31. Flexner, *Steamboats Come True*, p. 243; Westcott, *Life of Fitch*, p. 300.

32. Thomas Clark, *Frontier America: The Story of the Westward Movement*, 2nd ed. (New York, 1969), p. 348. See also Flexner, *Steamboats Come True*, pp. 140-41; Turner, *Rumsey*, p. 134. Railroad promoters also sought exclusive privileges, so steamboat inventors had no monopoly on this desire.

Englehart Cruse and Baltimore's First Steam Mill

JOHN W. McGRAIN

BALTIMORE WAS ONCE THE TOWN THAT TRIED EVERYTHING FIRST—AT LEAST BEFORE its imagination atrophied as a result of the Civil War—but it has neglected to celebrate what may well have been the first grain mill in America powered by steam. Poppleton's city map of 1823 showed a structure called the "First Steam Mill" on Smith's Wharf, the equivalent of present Pier Three at Pratt Street, but that mill was neither the nation's nor the city's first, although with its powerful sixty horsepower British-made Boulton and Watt engine, it was probably the best equipped and most successful. Poppleton's candidate for primacy was built in 1818 and was originally called McKim's Flour Mill, later the Vallona Copper Works.

Another claim for an American first is the "Phoenix Mill," dated 1795 by Frank R. Rutter in his study of the city's Latin American trade. Dr. Rutter gave as his source for that statement two issues of the *Baltimore Journal of Commerce*, also called the *Price Current*; unfortunately, no run of that business paper for the years involved can be found in either the city of its publication or the Library of Congress.¹ In any case, there is something suspect about the date of 1795, for if the *Journal's* author had the steam plaster and saw mill of Thomas Phenix in mind, he was too early by twenty years; if he was thinking of "Hugh Warden's Phoenix Flour Mill" as shown in the Hopkins city atlas of 1876, the Phoenix Mill shown there would merely match up with the McKim Mill of 1818, switched back to flour production after serving as a copper plant.²

Baltimore boosters can, however, safely rest their claim of a first steam mill on the inventions and efforts of Englehart Cruse, one of many Americans who were fascinated by the possibilities of steam power and undreamed-of mechanisms. Cruse was perhaps typical of some of this country's self-taught inventors, working in isolation from more advanced societies, trying to re-invent things already discovered, and indulging in unseemly squabbles over stolen ideas. But whether it was a barrel of grain or only a hatful that passed through Cruse's mill, it did represent a step, at least for Americans, from dependence on wind power, tides, or natural streams, to steam for milling energy.

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1. Frank R. Rutter, *South American Trade of Baltimore* (Baltimore, 1897), p. 10.

2. G. M. Hopkins, *City Atlas of Baltimore, Maryland, and Environs* (Philadelphia, 1876), Plate A, p. 11.

Maryland, as well as Virginia and Pennsylvania, had experienced a veritable spree of mill-building after the Revolution. In the region around Baltimore, mills far larger than anything seen in the colonial period were built on the Great and Little Gunpowders, Jones Falls, and Gwynns Falls. Some were profitable; others strained the financial resources of their builders, failed to pay their way, and sent millers and entrepreneurs to debtors' prison. Baltimore's overseas flour trade provided an outlet for increasing quantities of mill produce, and the city was the leading American flour milling center from 1805 until 1836, when it was surpassed by Rochester, New York.³ Local optimism perhaps reached a peak in 1815-17 when a matched set of five mills was built in a single cluster at Calverton on Gwynns Falls upstream of the present Edmondson Avenue bridge; in fact, only a few years later, Elias Ellicott, an investor in another cluster at the Three Mills, commented on the 1820 census return that the Baltimore region had a milling capacity double the grain available.

Some data on the Cruse steam-milling experiments can be extracted from pamphlets arising out of the controversy between James Rumsey and John Fitch over the question of who invented the steamboat. If one is to believe Cruse's opponents, the grain mill story began in 1787 when Cruse visited the Rumsey workshop at Shepherdstown, in present West Virginia. Rumsey's pamphlet is mainly concerned with denouncing John Fitch and disproving his claims, but there was space in the latter pages for a fulmination against Cruse:

But it is astonishing what latitude some men will give themselves, for the wickedness of a certain Englehart Cruze, is, I think, without parallel. In or about the month of June 1787, this Mr. Cruze informed me he had invented a machine to raise water, by the action of that water alone; that he was preparing a number of wheels, and other things for perfecting this machine, and he begged to know my opinion of it, at the same time making the utmost profession of secrecy and friendship. To save him the expense of preparing materials for a machine, which must from the nature of things, prove abortive, without enquiring into his plan, I convinced him, by explaining great part of mine, of the impossibility of success. Having by his professions, and all outward shews of religion, gained so much of my confidence and secret, he soon after removed himself to Baltimore, where he caused a machine to be made on the out-work of my principles (though very imperfect, for he was not instructed with some of the most material parts) which he exhibited to view, and had the audacity to petition the Maryland Assembly to give him exclusive rights for the emoluments of another's invention, so surreptitiously obtained; but he received the denial he so justly merited.⁴

An affidavit by Charles Morrow of Berkeley County, dated December 15, 1787, appeared in Rumsey's proofs and stated

that late in the spring or early summer, 1787, a certain Englehart Cruze, of Baltimore Town, formerly of this place, called at my house, when the conversation

3. Herman Steen, *Flour Milling in America* (Minneapolis, 1963), pp. 30, 44.

4. James Rumsey, *A Plan Wherein the Power of Steam is Fully Shewn, By a New Constructed Machine for Propelling Boats or Vessels, of any Burthen, Against the Most Rapid Streams or Rivers with Great Velocity. Also a Machine Constructed on Similar Philosophical Principles, by Which Waters May Be Raised for Grist or Saw-Mills, Watering of Meadows, &c. &c.*, (Philadelphia, 1788), p. 6.

turned on Mr. Rumsey's Steam Boat and mechanical powers, he told me, that before he had conversed with Mr. Rumsey, he conceived a great deal of these matters; but he now found he knew very little, and said, "I must give up to Mr. Rumsey—he is my master." . . . Mr. Enoch Martin of this county informed me, that on Saturday, the 8th instant, he saw in miniature, an engine at work in Baltimore town, which Mr. Cruze had made to raise water by steam; and that the said Cruze told him he received the first insight of that matter from Mr. Rumsey. . . .⁵

Rumsey's attorney (and brother-in-law) Joseph Barnes (or Barns) stated on December 14, 1787:

James Rumsey informed him in the year 1785, that he had contrived a very simple, cheap, machine to raise water by steam and the power of the atmosphere. That time (he thinks) in the month of June 1787, a certain Englehart Cruze, of Baltimore-Town, formerly of Shepherd's-Town, did by some means, though it was not customary, insinuate himself so as to be several times admitted into the shop where the steam engine for the boat was making, and then almost finished; and the said Barns further saith, he heard Mr. Rumsey inform the said Cruze of his intention of raising water by steam to work mills, as soon as he had accomplished the boat scheme, and then proceeded to explain to the said Cruze the principles whereby water might be raised, and also explained sundry parts of the machinery, he believes all, except some valves and the opening and shutting of cocks by the machinery at the proper times; and the said Barns well remembers, that during Mr. Rumsey's explanations, the said Cruze seemed much astonished, and declared that he never knew till then that the atmosphere had any weight, or that steam had such powers; and he then clearly saw the reason that a machine he had some time before invented to raise water would not answer the purpose; and it was so foolish a plan, he said he was ashamed to explain it. And the said Barns further saith, that Mr. Rumsey gave the said Cruze a copy of his calculations of the force and velocity of water from under different heads, which he informed the said Cruze would enable him to see the propriety of his calculations for raising water, by which he might estimate the quantity necessary to work a mill.⁶

The Rumsey pamphlet appeared in early 1788, and by May 10 his rival, John Fitch, had issued a rebuttal on the steamboat question, reprinting the entire Rumsey text at the back of the book. However, Fitch replaced Englehart Cruse's name with a dashed line, and added on the final page, "The person's name omitted in republishing Mr. Rumsey's pamphlet is because he has no connection with me, or my project, being a stranger, and probably innocent of the charges alleged. J. F."⁷

Rumsey seems premature in stating that Cruse's application for a patent was rebuffed by the Maryland General Assembly—it had merely been shelved. Assembly records of December 14, 1787, carried the notation, "A representation from Anglehart Cruse of Baltimore-town, praying an exclusive right of making and selling within this state, a machine called by him a steam engine, for raising of water, was preferred and read." The bill had a second hearing that day and

5. *Ibid.*, p. 19.

6. *Ibid.*

7. John Fitch, *The Original Steam-Boat Supported, or, A Reply to Mr. James Rumsey* (Philadelphia, 1788), p. 20.

was referred to the next session.⁸ At the spring session, the petition is found lumped with one of Rumsey's:

A petition from James Rumsey of Berkley [sic] County in the State of Virginia praying an exclusive right of constructing, navigating, and employing, for a certain term of years, within this State, the several boats, engines and machines, by him invented and improved for propelling boats on the water by the power of steam, &c. &c. was preferred, read, and referred with the petition of Inglehart Cruse, to the next session.

The petition was tabled on May 23 and not thereafter considered.⁹

Neither the *Maryland Gazette and Baltimore Advertiser* nor the *Maryland Journal* had mentioned Cruse's public exhibition of December 1787 described in the Rumsey depositions. Rumsey's mill devices were mentioned in an anonymous letter dated December 16, 1787, and signed by a "Gentleman who saw Mr. James Rumsey's exhibition." The witness to the trial run of the steamboat concluded his report:

Mr. Rumsey has a machine (which I likewise have seen) by which he raises Water for Grist or Saw Mills, watering of Meadows, or purposes of Agriculture, cheaper than Races can be dug, or Dams made, and the water after performing its operation, to be returned again into its first reservoir. He had likewise made such Improvements upon the structure of Mills, as to work Grist-Mills with One-Third of the water now expended and a sawmill with one-twentieth, and yet increase the powers without fearing the innumerable accidents attendant on the cumbersome parade of rounds, logs and wheels which he has totally laid aside, and equally simplified and cheapened the building.¹⁰

Cruse issued his own pamphlet sometime after May 9, 1788, denying that he had stolen the idea, stating that Rumsey had first invited him home, and further claiming that Rumsey had in his possession a book that showed a steamboat previously designed by the French inventor Desaguliers—Rumsey had barely allowed him a peep at the jealously guarded book. Cruse declared that the world could scarcely wait for Rumsey to move on from "stupidly poking with his steam boat" to something as useful as the mill engine. In rebuttal to the Rumsey pamphlet, he replied:

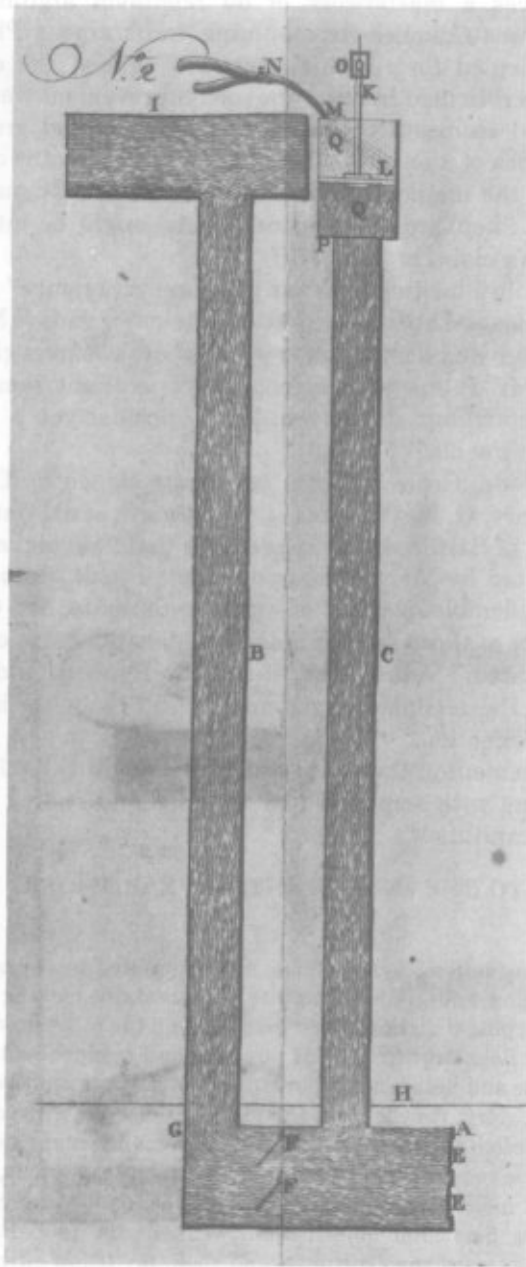
You asked me into your shop, which was an *open old stable* that appeared to me incapable of securing any secrets. . . . The principal thing I saw in your grand shop was your Cylinder just put together, on the side that was a copper, and equally much might be learnt from the sight of a Stove pipe. The chief conversation we had was about the pressure of the atmosphere, the cause of winds, rain, snow, &c.¹¹

8. *Notes and Proceedings of the House* (Annapolis, 1787), pp. 45, 48.

9. *Notes and Proceedings of the House* (Annapolis, 1788), p. 84.

10. *Baltimore Maryland Journal*, February 8, 1788, p. 2. The "Gentleman" is probably a Rumsey intimate rather than a bystander on the riverbank.

11. Inglehart Cruse, *The Projector Detected, or, Some Strictures on the Plan of Mr. James Rumsey's Steamboat* (Baltimore, 1788), pp. 5-6.



James Rumsey's water raising engine of 1788. The boiler is not shown, but steam entered the cylinder at "M." From *The Explanations, and Annexed Plates of the Following Improvements in Mechanics*.... Philadelphia, 1788. Maryland Historical Society.

The pamphlet was a masterwork of *ad hominem* argument, satire, and invective. Rumsey was ridiculed for assuming "rank among Philosophers," the steamboat was ridiculed for running backward against the current, and the improved boiler was ridiculed because the sole improvement was its "whistling." Cruse also attacked Rumsey for his lack of religion and credited Benjamin Franklin with the idea of a jet-propelled boat and the Marquis of Worcester with discovering in 1663 the method of raising water by steam. Cruse also gave John Fitch the names of Shepherdstown residents who might be interviewed to help undermine Rumsey's claim of priority.¹²

Other stinging sallies included: "Your bungling experience" and "As for your whistling vapoury Boat—Disgrace will attend its navigation." Moreover, "it is a doleful history of your steam adventures which these swearers give to us," and he concluded "Thus Mr. Rumsey's philosophical operations remain in a state of imperfection and *whistling*. . . the world will consider you a metaphysician, a *builder of castles in the air*."¹³

On the positive side, Cruse added a certificate signed by Daniel Bowly, W. Smith, John M'Henry, O. H. Williams, J. E. Howard, et al., dated December 12, 1787. These leaders of Baltimore business stated that "having seen the model of a Steam-Engine erected by Mr. Cruse, upon a small scale, actually at work, and throwing up a considerable quantity of water in a minute, Mr. Cruse, though not the original inventor of those kind of machines, has the merit of rendering them much less complicated." Another certificate by Reuben Gilder declared that Cruse had learned the technique by himself and "brought his machine to the present degree of perfection."¹⁴

In a long advertisement in the *Maryland Journal* of May 1, 1789, Cruse told his own story, beginning with some inflated verbiage and ending with his unusual method of raising capital:

TO THE INHABITANTS OF BALTIMORE

FELLOW CITIZENS,

It is a pleasing satisfaction, that America, once inhabited by savages alone, is now become a flourishing and civilized empire, and is daily making long and rapid strides toward usurping a distinguished place among the other powers of the world. It was once under Regal authority; but now free and independent. At this critical period, when a wise and judicious administration of government alone can serve as a prop to increasing glory, it calls forth the exertions of every citizen for its support. America has been celebrated for its military achievements, and I look forward to the time when it will be remembered for its encouragement of the arts, sciences, . . . In all nations we find men of different turns of mind, led on by an irresistible impulse, in pursuit of some particular object, often without the properties of gain, and frequently with the loss of their fortunes, and such, my fellow citizens, has in some measure, been my lot.

Born not of affluent parents, in my youthful days I was put to a trade in the exercise of which, I might have acquired for myself a genteel competency, but at length I

12. Ella May Turner, *James Rumsey, Pioneer in Steam Navigation* (Scottsdale, Pa., 1930), p. 126.

13. Cruse, *The Projector*, p. 13.

14. *Ibid.*, p. 14.

received a taste for the sciences, left my trade and employed my time in the study of the *powers of steam* and the *mechanism of Steam Engines*, for the purpose of raising water for grist, oil and chocolate mills, forges, manufactures, water-works, &c. &c. in those places where falls and running streams are deficient and I soon found, that what had hitherto been invented or written upon the subject, contained principles too complex, both for my slender fortune and for the purpose intended—accordingly, I constructed upon a more simple plan, in the year 1787, which met with the approbation of several gentlemen of distinction, from whom I received a flattering certificate, after which I attempted a more considerable one, but upon meeting with disappointment in producing proper materials, was obliged to relinquish it.

—Since then, I have prosecuted the study with ardor and diligence, and I flatter myself with having now a STEAM ENGINE erected, with a number of improvements. It has been frequently exhibited to a number of respectable citizens, who have taken a part in its commendation. It shews with how much less steam a greater quantity of water can be raised than what has hitherto been supposed. It is to serve as a model of one upon a more considerable scale, for the purpose of erecting an oil-mill, and will be publicly EXHIBITED TO-MORROW, if fair, from 10 to 5 o'clock, when I hope the inhabitants will do me the honour of attending, that they may be fully satisfied of the truth of my assertions—for having expended *all* my fortune in bringing the machine to its present perfection, and solicitous of erecting a gristmill for my family's support, I feel an inability of prosecuting it without the assistance of the generous Public, and am, therefore, by the advice of my friends, induced to set forth a LOTTERY, to aid me in my undertaking.—Should I meet with the countenance of my fellow citizens in carrying it into effect, it will be ever gratefully remembered, by their most devoted and humble servant

ENGLEHART CRUSE¹⁵

On May 8, addressing the Inhabitants of Baltimore again, Cruse declared:

Having now my STEAM-ENGINE in perfect order, I shall publicly exhibit it To-Morrow, from Ten to Six o'clock, at the Head of the Bason [*sic*], near Mr. Valck's Warehouse; when the Attendance of my Fellow-Citizens will confer a singular Obligation upon their devoted Servant....¹⁶

And on May 19 he got down to the mundane details of funding the scheme, advertising:

Englehart Cruse having had the good fortune to simplify and improve the common STEAM ENGINE, is about to erect a Grist-Mill, to be wrought by means of the said Engine, for the support of himself and family LOTTERY ... For erecting a Grist-Mill ... 3000 Tickets at Two Dollars ... Drawings Commence ... 1st of July.¹⁷

The demonstration site was probably near the southeast corner of Charles and Pratt streets, then a waterfront property. Adrian Valck's brick warehouse was at the northeast corner of Charles and Camden streets. Cruse's father, Christopher Cruse, had a lot under lease at the southeast city limits, a twenty-five by eighty

15. *Maryland Journal*, May 1, 1789, p. 4.

16. *Maryland Journal*, May 8, 1789, p. 3.

17. *Maryland Journal*, May 19, 1789, p. 3.

foot tract called Deep Point that lay ninety-seven feet south of Pratt Street. The original, one-acre Deep Point was a resurvey of Lunns Lot and most likely lay east of Charles at the water's edge.¹⁸ Cruse had noted in his pamphlet that he lived near sailors and sail-makers and did not want to fall into their clutches by advocating steam navigation.¹⁹

The very May Day on which Cruse trumpeted his discoveries, the *Journal* also carried the announcement of an organizational meeting at Starck's Tavern for the town's first cotton works, the Baltimore Manufacturing Company. In the same weeks when Cruse was advertising and exhibiting his engine, another steam pioneer, Oliver Evans, was visiting Baltimore and Ellicotts Mills; Evans even advertised his improved mechanisms for water mills in the *Journal* on May 7. Nor was Cruse the only Baltimore County citizen pattering with steam—Evans noted in his diary for May 10 and 11 that he had seen the Ellicotts use a jet of steam to drive a small tube mill for about five minutes.²⁰ The meager news columns of the period again ignored Cruse's demonstrations. By then, James Rumsey, fated to die in London within three years, was on his mission to seek support in Europe. Cruse ran a few more lottery ads, but the expected list of prizes due that July does not appear in the *Journal*, and he apparently dropped out of the public prints. A veritable plethora of lotteries was in progress that year, as well as the drive for capital by the managers of the cotton works.²¹

John Leander Bishop, author of the first overall history of American industry, has written:

In 1789, Englehart Cruse petitioned Congress for exclusive privilege of making and vending an improved steam-engine invented by him for raising water for manufactories, grist mills and the like. In the same year he erected a steam gristmill near Pratt Street wharf, but the enterprise was not fully successful. On the 26th August, 1791, Mr. Cruse, Rumsey, and John Stevens of New York, each received letters patent for improvements on Savery's steam-engine.²²

Bishop's only Baltimore source book was Griffith's 1821 history, which related that *Christopher Cruse* "aided by son Englehard [*sic*] erected a gristmill near Pratt Street, introduced steam power, and ground corn as now done, but failed after expending a considerable sum to effect the completion of his invention, for want of capital."²³ In another reference, Griffith placed the "experiment" near Pratt Street wharf.²⁴

18. Baltimore County Land Records, Liber WG S:102. However, J. Thomas Scharf placed Deep Point at the foot of Lee Street (*History of Baltimore City and Baltimore County* [Philadelphia, 1881], p. 60).

19. Cruse, *The Projector*, p. 9.

20. Grenville and Dorothy Bathe, *Oliver Evans, A Chronicle of Early American Engineering* (Philadelphia, 1935), p. 26. John Ellicott built a boiler and ran it with the safety valve closed; the resulting explosion cost him an arm. He had been "pursuing his favorite philosophical investigations," reported the *Maryland Journal*, January 3, 1792.

21. J. Thomas Scharf, *Chronicles of Baltimore* (Baltimore, 1874), p. 254.

22. John Leander Bishop, *A History of American Manufactures from 1608 to 1860*, 3 vols. (Philadelphia, 1861), 1: 595.

23. Thomas W. Griffith, *Sketches of the Early History of Maryland* (Baltimore, 1821), p. 127.

24. Griffith, *Sketches*, p. 108.

The index to city land records shows no acquisitions by Englehart Cruse himself; Christopher Cruse, in one deed mentioned as a physician, assigned his lease on Deep Point to John Vulgamott and Christian Newcomer of Washington County in 1791; the names of the assignees suggest milling families of Western Maryland, but there is no specific mention of their professions or the nature of the property in the conveyance.²⁵ Baltimore city directories of 1801–02 list Christopher Cruse as a grocer at 102 Pratt Street, while Englehart Cruse does not appear at all. Griffith also credits Christopher Cruse with the invention of a mud machine for deepening the harbor while in the employ of the port wardens.²⁶

What sort of an engine was it that puffed away on “Pratt Street Wharf” to edify the inhabitants of Baltimore? The answer is a commentary on America's status as an importer of technology. This country was said to have been fifty years behind Britain in engine development, and even by 1803, the United States possessed at the most only six steam engines.²⁷

The Cruse engine was apparently little more than a steam-powered device producing a suction, an apparatus first developed by Thomas Savery of England in 1698. Savery called his pump a “fire engine” or “the miner's friend.” Such engines did not use the movement of the piston to drive walking-beams or crankshafts to power other useful machinery by direct transfer of motion. All that a Savery engine did was to create a vacuum to pump water from one level to another. As early as 1707 the Dutch physicist Dennis Papin suggested to his patron the Elector of Hesse that such a pumping engine could be used to fill the buckets of a mill wheel to set the grinding machinery in motion.²⁸ A Newcomen engine was used at Bristol, England, as early as 1752 to drive a mill indirectly by raising water to fill the wheels.²⁹ The indirect pumping technique was fairly common in the United Kingdom in the eighteenth century; as late as 1820 a Savery fire engine (a much more primitive device than the Newcomen engine) was still in service at a London mill near Kentish Town.³⁰ Even in Baltimore, suction pumps were not unknown, and in fact while Cruse was soliciting for his lottery, William Matthews at the lower end of Calvert Street offered to sell “a suction fire engine, which, with little expense, may be made very complete.”³¹ In short, the Cruse idea was to build a mill on a pier, presumably for access to grain vessels from the Eastern Shore and to seagoing craft outward bound—the steam pump would raise water from the Basin, trap it in a box-like reservoir, and release the water as needed into the buckets on a common mill wheel; in a rural location, such a wheel would have been filled by the flow of natural stream water coming from a higher elevation to the mill building set in a low lying spot.

Signing himself “Anglehart Cruse,” the inventor wrote to the president in the course of seeking his patent for the engine. He invited Washington as a patron of

25. Baltimore County Deeds, WG YY:526. In December 1793 Newcomer and Vulgamott assigned the lease to Benjamin May and Henry Payson, WG NN:329.

26. Griffith, *Sketches*, p. 127.

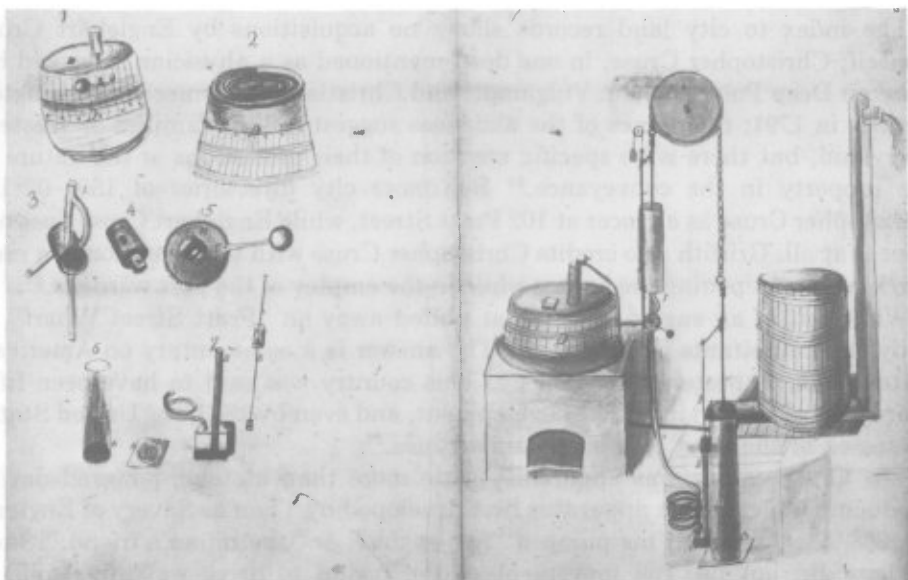
27. H. W. Dickinson, *A Short History of the Steam Engine*, 2d. ed. (London, 1963), p. 94.

28. Robert H. Thurston, *A History of the Growth of the Steam Engine*, reprint (London, 1939), p. 52.

29. Thurston, *History of Growth*, p. 70.

30. Dickinson, *Short History*, preface by A. E. Musson, p. viii.

31. *Maryland Gazette and Baltimore Advertiser*, June 1, 1789, p. 1.



Englehart Cruse sent this sketch of his engine to President Washington in 1790. Detail parts appear on the left, complete assembly pumping water on the right. *National Archives*.

arts to view the device in action; it could in a short time be put in steam, and “its performance I have exhibited before many Respectful Characters in this Town.” A sketch of Cruse’s pump survives in the National Archives and is here pictured.³² No functional details are to be found in the United States Patent Office, which has only the record that on August 26, 1791, E. Cruse has received a patent, one of but 33 issued that year, for a “Steam engine, improvement on Savery’s.”³³

The sketch sent to President Washington appears in the edited correspondence of Thomas Jefferson, who as secretary of state was responsible for processing patent applications.³⁴ Jefferson had long been interested in mechanical progress, and while serving in Paris had learned that the Abbé Arnal of Nîmes had built a Savery-type steam mill sometime before 1788 and had also secured rights for steamboat navigation on the rivers of France.³⁵ In London Jefferson had visited the Albion Mill (although its owners did not allow him to see what made the millstones operate).³⁶ Jefferson also met Rumsey and received letters from Rumsey’s attorney Barnes. In his connection with the patent office, he received two letters from James B. Pleasants of Baltimore. In the first letter, that of May

32. National Archives, RG 59, MLR, filed under September 1, 1790. The patent received the President’s actual signature in 1791 (*Writings of George Washington*, ed. John C. Fitzpatrick, 39 vols. [Washington, 1939], 31: 352n).

33. Data obtained for author by William J. Hollifield III, president of Baltimore County Historical Society, March 28, 1974. See above, G. Terry Sharrer, “Patents by Marylanders, 1790–1830,” p. 57.

34. *Papers of Thomas Jefferson*, ed. Julian P. Boyd (Princeton, 1961—), 16: 53, xlii.

35. Jefferson to Thomas Paine, Dec. 23, 1788, *ibid.*, 14: 374.

36. *Ibid.*, 9: 378.

5, 1790, Pleasants had claimed to be the inventor but was allowing "Angelheart" Cruse to patent the machine under his own name. Pleasants called the device a "perpetual cylinder," giving a description that most likely was a part of the lost patent application text:

A perpetual Cylinder, mooving on the exterior of a piston with equal and Continual force, constitute one of the Essential principles of this machine, and one of its great advantages, arises from the immediate Communication of force (without the intervention of Cogg's, Rounds or any other Machinery) to Millstones or wheels of any kind whatever. In communicating the force of Steam, this Machine will appear in the most superior point of view in which it probably can be placed; the Cylinder revolving round its axis, which is also the Axis of the Millstones or wheels employ'd to apply the force: in a Common Steam Engine the force is communicated by the recurring movement of a Piston; in this the continual revolution of the Cylinder itself around the axis, the piston being stationary; the Cylinder in this Machine mooves with the same force that the piston in a common Engine does, multiplied by any number that we please under 25; the difficulty arising from the complexity of machinery necessary in applying a recurring force to wheels is remov'd. This difficulty is Threefold. 1. Expense 2. friction 3. the loss of force apply'd to a Crab.³⁷

In spite of Pleasants's discussion of the common axes of millstones and steam cylinder, the drawing of the engine shows it as nothing more than a water-raising mechanism. The Cruse (or possibly Pleasants) design seems to be more elaborate than the Rumsey system, being complicated by self-regulating elements, e.g., the channeling of steam to two cylinders.

The rival system may be compared by consulting Figure 3 in James Rumsey's pamphlet dated June 20, 1788, and entered according to acts of the Pennsylvania Assembly. Two pages of step-by-step procedure serve as "An Explanation of an improved machine for raising water by steam, and the pressure of the atmosphere."³⁸ The Rumsey works, even with the boiler not illustrated, is clearly less sophisticated, and the inventor seems to expect the lower gates (FF, EE) to hold under water pressure in one condition and to open in another—more likely he has withheld some linkage that closed one set of gates while opening the other. The object of the apparatus was to draw a supply of water into the reservoir "I" which stood twenty-eight feet above the level of still water at the line marked "H." Although he never attempted a full-scale "water raising" type mill, Rumsey was reported in 1790 to be erecting a mill near London, using his improved version of Dr. Barker's wheel.³⁹ (Dr. Barker's Mill, or the Scotch turbine, was a rotating arm, driven by two opposed jets of water—much like a present-day rotary lawn sprinkler.)

However, the failures of Rumsey and Cruse did not end interest in the Papin-Savery principle. John Nancarrow, a foundry operator of Philadelphia, published in 1799 an account of "a Steam Engine, intended to give motion to

37. James B. Pleasants to Jefferson, Baltimore, May 5, 1790, *ibid.*, 16: 412.

38. James Rumsey, *The Explanation and Annexed Plates of the Following Improvements in Mechanics* (Philadelphia, 1788), pp. 5-6.

39. Joseph Barnes to Jefferson, Philadelphia, July 2, 1790, *Papers of Jefferson*, 16: 590f.

water wheels in places where there is no fall, and but a very small stream or spring."⁴⁰ The promised Nancarrow "Figure 3" is missing from the transactions, but drawings of his pump and associated mill wheel can be found in two English technical histories.⁴¹ Nancarrow presents elaborate computations of the water power available at two sawmills in Berks County: John Beydler's and Christian Keygler's; he does not state that he substituted steam devices for the natural water supplies.

It is ironic that while these American pioneers were struggling to perfect a concept born between 1698 and 1707 (and possibly as early as 1663, if the cryptic writings of the Marquis of Worcester are accepted), there was already a steam mill functioning near Blackfriars Bridge in London, where the works was run by direct (rotative) linkage with two Boulton and Watt atmospheric (i.e., low pressure) steam engines of fifty hp each. The Albion Mill of London that had astonished Jefferson was running twenty pair of millstones in 1786—before Cruse and Rumsey even began to dispute—and in one spurt of activity ground 3,000 bushels of grain over twenty-four hours; an ordinary week's output was some 16,000 bushels.⁴²

While it would be of great interest to know the performance data of the works on Pratt Street, the bottom line can be drawn under the project by referring to Englehart Cruse's petition to the General Assembly of 1793; this time, the legislators granted his request and entered his name in that session's list for "relief of sundry insolvent debtors."⁴³ The declaration of bankruptcy was the first appearance of Cruse's name in assembly records since his patent application had been buried in 1788. Apparently undiscouraged, Cruse was still inventing in 1816 when Patent Office Records show that he was a resident of Charleston, South Carolina, and developer of a variation on the cotton gin.⁴⁴

* * *

Other enterprising Americans continued to attempt milling by steam power. By 1802 Oliver Evans had hitched a high pressure steam engine of his own invention to a sawmill at New Orleans; in 1804 Richard Trevithick of England ground corn (i.e., wheat) using high pressure steam power; Evans had a flour mill going at Pittsburgh in 1808; and the *Kentucky Gazette* of October 16, 1809, announced another steam mill of Evans's design functioning at Lexington. Somewhere in the period, Augustus Baldwin Longstreet was applying steam to cotton gins and sawmills in Georgia.

Chase's Wharf in Baltimore was the site of a steam sawmill started in 1813 by Job Smith, and "Charles Gwinn introduced steam power for a flour mill in his

40. *Transactions of American Philosophical Society* (Philadelphia, 1799), 4: 348, 355.

41. Robert Meikleham, *A Descriptive History of the Steam Engine* (London, 1824), opposite p. 161; and Elijah Galloway, *History of the Steam Engine* (London, 1836), p. 138.

42. Thurston, *History of Growth*, p. 120. Also, *Papers of Jefferson*, 9: 446. Jefferson reported that 30 pair of millstones were projected for the Albion works.

43. *Acts of 1793*, Chapter 63.

44. Edmund Burke, *List of Patents for Inventions and Designs, Issued by the United States From 1790 to 1847, with the Patent Laws and Notes of the Courts of the United States for the Same Period* (Washington, 1847), p. 75.

warehouse at the end of Commerce Street," also in 1813.⁴⁵ In July 1815 the firm of Phenix and McElderry announced completion of a mill to grind plaster of Paris; the product was for sale at their store in Old Town at Green and North streets. Two years later Thomas Phenix, trustee, advertised a ground rent at the lower end of McElderry's Wharf along with the late Thomas McElderry's valuable sawmill and other buildings.⁴⁶ In Annapolis a twenty horsepower engine built by Oliver Evans began to power the Jeremiah Hughes grain mill at the foot of Dock Street in 1816.⁴⁷ Early in 1818 George Stiles and Son of Baltimore advertised:

The ROTARY STEAM ENGINE ... is now in full and successful operation in our factory near the glass house That no deception can be imposed, at the end of our factory, we have erected a gristmill, with two run of stones, each of them grind eight bushels of corn per hour; the engine that drives them is only 34 inches diameter and 12 inches deep; it can at the same time in addition to those two pair of stones, carry all the turning lathes in the factory at common work. We are now prepared to make engines....⁴⁸

Finally, to come full circle, in mid 1818, a "stupendous" Boulton and Watt engine imported through Birmingham began to use its sixty horsepower to drive eight millstones at the Isaac McKim mill on Smith's Wharf, Pratt Street, foot of Gay Street—the works that was called "First Steam Mill" on Poppleton's map. On July 29 of that year J. W. Patterson of Baltimore wrote to William E. Williams of Ceresville, Frederick County:

McKim has had his mill underway for some days—he calculates that his consumption of fuel does not exceed 2½ cents per Bushel of grain ground. He professes to be perfectly satisfied—he calculates that two Boilers would turn six pair of stones—the evening before last they turned *eight*, all the millers in town were there. He was of opinion that each pair ground at the rate of 10 Bus. p. hour—they thought not more than five—if he is correct in his calculations—steam will underwork water throughout the country. The millers however are much less alarmed since they witnessed the experiment.⁴⁹

A Scottish traveler, John M. Duncan, visited the mill in its early days and was very much impressed:

Baltimore is celebrated for the fineness of its flour: the superiority of which arises from the perfection at which they have arrived in the machinery by which it is manufactured. I have recently visited a mill driven by steam, in which manual labour is so completely excluded, that the sailor who delivers the grain at the wharf is the last person who applies his hand to it, till it descends into the barrel in the shape of superfine flour ... ready for inspection and shipping. This mill manufac-

45. Scharf, *Chronicles*, p. 341.

46. *Baltimore American*, July 7, 1815, p. 3; *Baltimore Federal Gazette*, July 30, 1817, p. 3.

47. National Archives, *1820 Census, Maryland Manufacturers*. Hughes advertised to sell the mill, stating that it had produced less than half the contracted 100 bbl/diem (*Baltimore American*, May 20, 1822).

48. *Baltimore American*, February 16, 1818.

49. Williams Papers, (MS. 908), MHS, Vol. 10, No. 1059.

tures with ease a thousand bushels a day; and the flour which it produces, always commands an advance on the average market price.⁵⁰

Duncan gave a step-by-step description of the various operations in the mill; it is clearly a plant equipped with all the labor-saving inventions of Oliver Evans. The Evans system of automation was indeed a step in technological progress by which America had outdistanced the Mother Country. When the 1820 census recorded Isaac McKim's steam mill, it had twelve employees, eight pair of 5-foot, 10-inch burrs, and "all Oliver Evans improvements." The owner noted, just as had John Duncan, that "The Wheat is emptied into a hopper from alongside the Vessel lying at the wharf and is not again touched by hand until made into superfine flour." The mill had been running two years, but only during the plentiful season; some 117,000 bushels (28,500 barrels) had been ground the previous year. McKim complained in the "Remarks" block of the census form that certain individuals controlled the price of coal, and any increase in the cost of wood or coal would render the mill unprofitable.

In 1833 Charles Varlé listed the works at Smith's Wharf, calling it Vallona Copper Works. "The power used is the stupendous steam engine in the steam mill of Isaac McKim, Esq., which before was accustomed to work 8 pair of mill stones. The copper warehouse is no. 42 Gay St."⁵¹ Matchett's *Director* of 1837-38 still listed the copper works, but Fielding Lucas's 1845 map showed it as a mill. The 1851 city directory carried Alexander Hamill as a steam mill operator at Smith's Wharf. In 1856 the Maryland Steam Flour Mill at the lower end of Smith's Wharf was advertised for sale. Its output was 1,000 barrels per week, and over 20,000 barrels had been milled in the previous five months; there were six pair of French burr stones and bolting machinery sufficient for 250 barrels per diem.⁵² The 1886 state directory listed J. & M. Warden's mill at the foot of that wharf, and the G. M. Hopkins city atlas of 1876 showed Hugh Warden's "Phoenix Flour Mill" on that pier.

This mill was replaced in 1881-82 by a roller mill designated as Patapsco Mill-B in Charles A. Gambrill's chain of three plants. A severe fire took place in 1887, and the account of the blaze stated that the mill had been built in 1844 and equipped with new machinery in 1882. The expansion program five years before had included installation of a Corliss engine and Poole and Hunt boilers and a twenty-bin elevator had also been added; both mill and elevator were six stories, occupying a space of 125 by 65 feet. The output capacity had been expanded to 700 bushels per diem. In the fire of 1887, some 82,000 bushels of wheat had been lost.⁵³ The works were subsequently repaired and carried on under the Gambrill name until totally destroyed in the Baltimore fire of February 7, 1904.

The fascination and majestic force of steam were a long time making inroads against the costless energy provided by falling water. In the 1850 census four flour

50. John M. Duncan, *Travels Through Parts of America and Canada in 1818 and 1819* (Glasgow, 1823), pp. 235-37.

51. Charles Varlé, *View of Baltimore* (Baltimore, 1833), p. 86.

52. *Baltimore American*, February 11, 1856.

53. *Ibid.*, July 16, 1877, p. 4 (includes a map of wharf).

mills and a combination plaster and cornmeal mill were listed in Baltimore City. Hamill's Flour Mill and the Dunnington plaster and meal works were the only ones identified as steam plants. The other three mills (Lee's, Warfield's, and Norwood's) were erroneously listed as "hand" powered, but they seem to match up with water-driven enterprises on Jones Falls or Gwynns Falls. That census failed to record any other steam mills, two at the very least, that were advertised from time to time as located on the Pratt Street docks and City Block. In the surrounding county, not one of the twenty flour mills or twenty grist mills was listed as driven by steam.

By the time of the 1880 census, Baltimore City had seven mills run in whole or part by steam. Baltimore County reported one steam mill (Bull's in the 7th District), two Gambrill plants with both steam and water power (Patapsco Mill at Ellicott City and Orange Grove Mill), plus fifty purely water mills. The city's few steam installations outproduced their more numerous water-fed county rivals in both flour and hominy and followed not far behind in cornmeal and feed. The two Gambrill plants alone outproduced the seven city mills by over 50,000 barrels of flour per year.⁵⁴

54. The following chart demonstrates the preponderance of water-powered mills.

Location and type	Mills (No.)	Flour (bbl)	Meal (1b)	Feed (1b)	Hominy (1b)
Baltimore County (water)	50	68,803	7,993,800	6,593,340	36,200
Baltimore County (water and steam; both Gambrill's)	2	177,381	—	10,732,232	—
Baltimore City (steam)	7	122,448	5,957,013	5,266,856	12,000,000

SIDELIGHTS

The Philadelphia Company Performs in Baltimore

DAVID RITCHEY

BALTIMORE PROVIDES THE SETTING FOR AN IMPORTANT CHAPTER IN THE HISTORY of the Philadelphia company of the Chestnut Street Theatre, the most prestigious acting company in America in the eighteenth and early nineteenth centuries. Between the years 1794 and 1802, Baltimore served as a satellite to Philadelphia, the home base for the company. The months spent in Baltimore each year enabled actor-manager Thomas Wignell to keep his large troupe together and were essential to the continued life of the company.

Thomas Wignell introduced the Philadelphia company to Baltimore audiences in the fall of 1794. The Wignell era in Baltimore included three hundred and ninety evenings of theatrical activity and extended between the company's opening night, September 25, 1794, and December 4, 1802, the company's last performance managed by Wignell in that city before his death.

In many ways the Baltimore theatricals were a restaging of the original Philadelphia performances. But the existing records of the Baltimore seasons provide a unique insight into the personal and professional lives of the performers and thereby contribute to the knowledge of Philadelphia's outstanding acting corps. This study of the Wignell years in Baltimore includes a section on the existing theater conditions and highlights of three seasons of theatrical activity in Baltimore—1795, 1797, and 1798.

Thomas Wignell organized the Philadelphia company in 1792. Previously Wignell had performed with the Old American Company managed by Hallam and Henry until 1790, when he resigned in a managerial dispute. He then sailed to England to solicit performers for a new acting company. Two years later he returned to America having recruited performers and families totaling fifty-six persons. The acting corps included Mrs. John Oldmixon, John Pollock Moreton, James Fennell, William Francis, Mr. Green, Mr. Darley, John Darley (his son), Francis Blissett, Eliza Kemble Whitlock, Charles Whitlock, Mr. Chalmers, Mr. and Mrs. Marshall, Mr. Bates, and Mrs. Broadhurst. Contemporary historian William Dunlap commented that this complete group of entertainers represented every species of talent and "composed a force that defied opposition."¹

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1. William Dunlap, *History of American Theatre*, 2 vols. (London, 1883), 1:77.

Wignell selected the personnel of his company to include excellence not only in acting, but also in music and scenic effects. A professor of music, Alexander Reinagle, served as Wignell's co-manager, supervised the musical aspects of the production, played the harpsichord, and directed the orchestra.² Although little is known of his work as an artist, an English scene-painter, Charles Milbourne,³ furnished scenery which William Dunlap described as "far surpassing any stage decorations heretofore seen in the country."⁴

In order to make Baltimore an adjunct to their theatrical center in Philadelphia, Wignell and Reinagle constructed the Holliday Street Theatre. To pay for the structure, the managers sold an undertermined number of shares in the theater, only five of them remaining unsold at \$100.00 each when it opened. The shares drew interest at the rate of 6 percent until the managers repaid the money, and the lenders received a free ticket for the first season.⁵ A novelist of the period, John Pendleton Kennedy, remembered the outside of the Holliday Street Theatre as resembling a great barn, "weather-boarded, milk-white, with many windows."⁶ A European traveling in Baltimore, Francis Bailey, described the interior of the theater as "a neat little playhouse, consisting of a pit capable of containing about three hundred persons and two rows of boxes but no gallery."⁷ In the style of the eighteenth-century playhouse, the Holliday Street Theatre probably had a small apron stage and an orchestra pit. This theater rested on a spot occupied until 1917 by several theaters carrying the same name.

The company's repertoire included mostly eighteenth-century English comedies, but toward the close of the century it expanded to include melodramas featuring elaborate stage settings and scenic devices. The company frequently opened the Baltimore season with Mrs. Inchbald's *Everyone Has His Fault*. The most popular comedies included Shakespeare's *As You Like It*, Garrick's *Catharine and Petruchio*, Sheridan's *The Rivals*, and Goldsmith's *The School for Scandal*. Tragedies produced included *Hamlet*, *Macbeth*, and *Romeo and Juliet*. The company restaged these productions after the original performance in Philadelphia.

The records of the Baltimore theatrical season of 1795 reveal that much of the drama was not on the stage, but that the conflict was between the local drama critics and the performers. Although the newspapers announced that a play produced in Baltimore had received universal applause in Philadelphia, the local drama critics attempted to improve the standards of the Baltimore theatricals by describing the strengths and weaknesses of Wignell's performers. Unfortunately,

2. *Ibid.*, pp. 176, 224.

3. For more information on scenery in Baltimore see Richard Stoddard, "Notes on John Joseph Holland, with a Design for the Baltimore Theatre, 1802," *Theatre Survey* 12 (May 1971): 58-66.

4. Dunlap, *History*, I: 223.

5. *Maryland Journal*, September 29, 1794.

6. John Thomas Scharf, *The History of Baltimore City and County, Maryland* (Philadelphia, 1881), p. 683.

7. Francis Bailey, *Journal of a Tour in Unsettled Parts of North America in 1796 and 1797*, ed. by Jack D. L. Holmes (Carbondale, Ill., 1969), p. 24.

the anonymous critics provoked the wrath of the actors by concentrating on their weaknesses rather than their strengths.

A gentleman who frequently performed with Mrs. Whitlock, John Pollock Moreton, received mixed notices from the reviewers. One writer appreciated Moreton most when playing "the elegant man of fashion,"⁸ but when performing out of that line, he played all comic roles as if "inebriated."⁹ The critic indicated that Moreton was not a consistent performer, for as Villeroy in *Isabella*, he "walked" through the part and spoke calmly in "emphatic" speeches; as Romeo, he must overcome his "insipidity" and "ranting" by reading Hamlet's advice to the players and "if he must have his hat in his hand, not to twist and twirl it about in such an awkward manner."¹⁰ The critic's summation of Moreton's portrayal of Castalio in *Percy* concentrated on these traits:

[I]n the latter part he cut his speeches very short, especially those before his death, which he seemed to perform without any struggling pangs, and little tenderness for Monimia. This gentleman, in Tragedy, has two striking peculiarities which we must wish him to avoid; viz. a violent method for stamping his right foot, which not *unfrequently* loosens his buckle, and throws it on the stage: and a mode of twirling his hat about which is so ridiculous, that one might imagine he could not perform without having it in his hand.¹¹

Obviously interested in the comparative age of the performer and the character he played, the critic described Owen Morris as perfect in old men, "humorous without extravagance, laughable without buffoonry, and chaste throughout."¹² But the miscasting of Mrs. Shaw annoyed the reviewer who thought she was too young to play the mother to grown children and the wife of such an old husband.¹³

The critics offered suggestions to several of the company's young performers. Young John Darley was admonished to "pay more attention to his author."¹⁴ Although young Mr. Green seemed to have been an actor whose eyes reflected his feelings,¹⁵ his voice lacked clarity which prevented his placing proper emphasis on words.¹⁶ Another young performer, William Rowson, must have been very large physically for he played Queen Glumdalca in Fielding's popular *Tom Thumb the Great*, and Charles the wrestler in *As You Like It*. The critic wrote that as Charles, Rowson played "illy [sic]: for no sooner had Orlando seized him, than he fell like a tottering mountain, without even an effort."¹⁷

According to the reviewer two new actresses played utility and supporting roles and added little strength to the company. Mrs. Harvey possessed, "a tolerable figure, and not unpleasing face, but her voice in speaking wants melody; there is

8. *Maryland Journal*, August 26, 1795.

9. *Ibid.*, September 5, 1795.

10. *Ibid.*, September 7, 1795.

11. *Ibid.*, September 18, 1795.

12. *Ibid.*, September 5, 1795.

13. *Ibid.*, September 10, 1795.

14. *Ibid.*, September 18, 1795.

15. *Ibid.*, July 31, 1795.

16. *Ibid.*, September 30, 1795.

17. *Ibid.*, September 26, 1795.

a sharpness in its tone.”¹⁸ The reviewer commented about Miss Willems that her “manner of singing may be judged from the expression of an Actor on the occasion—I must go dry my handkerchief: Faith it makes me sweat!”¹⁹

Other reviewers criticized the management’s miscasting of certain roles and the poor performances of the young actors, Green, Harwood, Moreton, and Miss Willems, to such an extent that rumors indicated that some of the young actors threatened the critic with bodily harm if he should again attack them in the newspaper.²⁰ Unfortunately in late October, after a newspaper exchange of forty reviews and letters to the editor, the reviews ceased to be published and the newspaper did not record what happened to the critics and the battle with the performers.

The 1797 season brought good fortune to the Philadelphia company. In that year Wignell added comic actor William Warren to the company. Warren recorded in his “Journal” notations about the living conditions of the performers and the box office receipts at the theater.²¹ This “Journal” is one of the few remaining contemporary accounts of the Philadelphia company’s career.

Warren’s several personal notations in his “Journal” offer insight into the financial situation of the actors of the company. For acting in Baltimore in 1797, he received \$21.23 a week and his wife received \$5.00 a week as a supernumerary. On the night of the benefit he shared with Thomas Cooper, each earned \$30, consequently, the total profit from this one benefit was \$60.²² The gross proceeds for the Warren-Cooper benefit, June 2, 1797, were \$329.99.²³ Therefore, about \$270.00 appears to have been the amount the management needed to receive at each performance in order to meet standard expenses.

Warren noted that in 1797 the company’s largest gross at the box office was at a performance of Thomas Moreton’s *Columbus; or, A World Discovered*, “got out with the same splendor as in Philadelphia as far as the theatre would admit.”²⁴ The visual aspects of this production must have been spectacular, for the company advertised new costumes for the eleven members of the Spanish exploring party and for sixteen Peruvian Indian characters. The visual aspects of the stage settings were no less spectacular than the costumes and included the representation of a storm, an earthquake, and the eruption of a volcano. Apparently the audience rewarded the company’s elaborate efforts, for on the first night of *Columbus* the box office receipts totaled \$999.97 and on the second night, \$586.72.

With such a successful closing, Wignell apparently wanted to extend the engagement past June 10. The City Council, however, forbade performances between June 10 and October 1 of each year. Wignell petitioned the Council to

18. *Ibid.*, August 5, 1795.

19. *Ibid.*, September 19, 1795.

20. *Ibid.*, September 17, 1795.

21. William I. Warren, “Journal,” May 16, 1795, Channing Pollock Theatre Collection, Howard University, Washington, D.C.

22. *Ibid.*, June 10, 1797.

23. *Ibid.*, June 2, 1797.

24. *Ibid.*, June 10, 1797.

extend the performance date to July 4, but was refused.²⁵ The Council had been prompted to this action by the "Cooperation for Restraining theatrical and other Public Amusements," a group Warren described as "religious fanatics who think they are serving God by oppressing their fellow creatures." In addition to setting closing dates for the theater, the Council placed a tax of \$8 on every acting night.²⁶

Denied an extension of performance time by the City Council, the performers left Baltimore to return to Philadelphia. But the spring season of 1797 had been successful: the box office receipts averaged \$396.87 for twenty-one nights (\$120 above expenses), the management paid full salaries, the audience responded well at the benefits, and the company had introduced two outstanding new performers, Mrs. Anne Brunton Merry and Thomas Cooper, to Baltimore audiences.

In contrast to the successful spring season of 1797, the fall season of 1798 brought neither personal nor financial success to the performers. Many of the members of the company were ill and at least three members resigned from the company. Warren noted on October 20 that he had just worked the first full week since June 10, because of his illness. He also listed other members of the company who had been ill: Wignell, Bernard, Mrs. L'Estrange, and the wife of Warrell Junior.²⁷ In November he observed that 3,500 had died in Philadelphia of the yellow fever, that Marshall was now ill, and that, although better, Wignell still could not care for his business.²⁸ On December 24 Bernard played for the first time in a month.²⁹ During this season in Baltimore death took a toll of the company, striking Moreton and Robert Merry, who died of a stroke. After her husband's death Mrs. Merry retired from the theater for the remainder of the season.

In addition to illness, the company suffered the resignation of several key performers. Cooper broke his contract, James Fennell left "to make salt,"³⁰ and the management discharged Mrs. Shaw from the company when she refused a role.³¹ In late November Mr. and Mrs. Hardinge gave notice they would leave the company.³²

Financial difficulties further weakened the company already strained by illness, death, and resignations. Although the company usually performed only on Monday, Wednesday, and Friday, occasionally for extra revenue the actors opened the theater on Saturday evenings. During the benefits in January, the company performed almost every night except Sunday. The box office receipts averaged less than \$356 a night, almost \$100 a night less than the spring season 1798, and not enough to permit paying full salaries. Warren recorded in his

25. *Ibid.* The records of the City Council of Baltimore preserved only the requests on which the Council acted favorably. Consequently, none of Wignell's requests to extend the theatre season appear in the records.

26. *Ibid.*, May 11, 1797.

27. *Ibid.*, October 20, 1798.

28. *Ibid.*, November 17, 1798.

29. *Ibid.*, December 24, 1798.

30. *Ibid.*, May 4, 1798.

31. *Ibid.*, November 2, 1798.

32. *Ibid.*, November 10, 1798.

“Journals” that on Saturday, the usual payday,³³ the management paid only half salary, and two performance days later, January 15, 1799, the management paid one-fourth of the salary. Perhaps as an effort to conserve funds, in December the management discontinued newspaper advertisements containing cast lists and descriptions of the plays, and bought only enough newspaper space to announce the date of production and the play’s title.

The fortunes of those in the Philadelphia company varied between the high level of financial and personal success in the spring of 1797, and the disastrous fall of 1798, when death, illness, and financial loss surely demoralized the members of the troupe. After an unhappy season the Philadelphia company left Baltimore and returned to Philadelphia along roads Warren described as “intolerable.”³⁴

Yet the company returned the following year, for their Baltimore appearances were necessary for their survival. From the inception of this company in 1794, Wignell developed a pattern of one long season in Philadelphia and shorter engagements in Baltimore each year. In both 1795 and 1796 the company performed seven months in Philadelphia and a total of three and a half months in Baltimore. Wignell extended his circuit to include New York for four months in 1797, and played seven months in Philadelphia and only one month in Baltimore. Undoubtedly Wignell did not find conditions encouraging in New York, for his company never returned to that city. In 1798 the Philadelphia company played four months in both Philadelphia and in Baltimore, and in 1799, five months in Philadelphia and four months in Baltimore. Throughout the remainder of the Wignell era (1800–1802) the company played six months a year in Philadelphia and one month in Baltimore in 1800, two months in 1801, and three months in 1802.

This data seems to indicate the receptiveness of the citizens of Baltimore to the Philadelphia company and Wignell’s perception of Baltimore as a city whose support would enable him to keep the large company together. The support Baltimore offered to this company not only brought to the city some of the most outstanding actors assembled in America, but it undoubtedly was partially responsible for the very life of Wignell’s company. His company was so large that one city could not support all its personnel. By taking his troupe to Baltimore for several months a year, Thomas Wignell was able to maintain the most outstanding acting corps assembled in America during the eighteenth century, the Philadelphia company.

33. *Ibid.*, January 12, 1799.

34. *Ibid.*, January 25, 1795.

Robert Walsh in France

GUY R. WOODALL

IN *Robert Walsh: His Story* (1941), SISTER M. FREDERICK LOCHEMES CLOSES her life of the Baltimore and Philadelphia editor (1784–1859) with an account of his last twenty-three years spent as an expatriate in France. In 1836 Robert Walsh resigned from his twin editorial posts of the Philadelphia *National Gazette and Literary Register* and the *American Quarterly Review* and went abroad for health's sake. Few men, if any, in American letters were more widely known or more highly respected than he was at the time he departed from America. His retirement, however, proved but a hiatus, for shortly after settling in Paris he regained his health and established successful careers as a journalist and American diplomat.

Sister Lochemes has recorded a number of instances of Walsh's social and professional intercourse, direct and indirect, with Americans and Europeans in his Paris years, but because of inaccessibility to some manuscript letters, she was unable to chronicle a goodly number of significant relationships with several distinguished American writers who were either passing through Paris or corresponding with him from America. Walsh's activities in his final years in France have yet to be fully accounted for, but, hopefully, the following instances of his literary connections, heretofore not set down, will add substantially to his biography, as well as those of his literary friends and acquaintances.

Probably a typical example of Walsh's hospitality to Americans passing through Paris is that extended to John Pendleton Kennedy when he and his family stopped there enroute to Italy in November 1857. Walsh wrote a note to his friend, whom he had not been able to contact in person:

Finding a needle in a haystack is scarcely more difficult than catching a traveller in his hotel in Paris. Within this week I have twice made inquiry at the Hotel Westminster without success. I wish to mention that my family and myself are always at home on Sunday between two and four o'clock; it will afford us great pleasure to see you and madame and the sister at any time. We are aware that you can have but little leisure for visits other than to public places. This capital cannot be surveyed in a short time without constant activity.¹

Though it is possible that Kennedy did so, there is no account of his calling on Walsh at his home. But a letter from Walsh to Kennedy two days after the former

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1. Robert Walsh, Jr., to John Pendleton Kennedy, October 14, 1857, John Pendleton Kennedy Collection, The George Peabody Department of the Enoch Pratt Library, Baltimore. The Kennedy papers have now been microfilmed both for sale and for use via interlibrary loan.

note was sent indicates that he made every effort to assist his friend and make his esteem for him known:

Possibly the little book which I venture to send you has not fallen into your hands. It may interest the ladies as preparative to their sojourn in Italy. I shall be gratified if it should afford them or you a hundredth part of the gratification which I have derived from your biography of William Wirt.

After you have been a fortnight in Naples, you must do me the great favor to tell me in as voluminous epistle as you please, what you have observed and otherwise learnt of the real character of the people of the Kingdom. I do not trust the British accounts; those of the French travellers and residents are diametrically opposite. . . . I am inclined to a favorable opinion of the King: the manner in which he has maintained his independence against my Lord Palmerston does him honor. Your judgment will determine mine.²

For a considerable time before Kennedy came to France, Walsh corresponded with him. Interested in having his friend's biography of William Wirt in the library of the Consulate, which he constantly tried to improve, Walsh had written to Kennedy on September 17, 1849:

I cannot help suggesting to you that you ought to send to the library of the Consulate a copy of your *Life of William Wirt*. Indeed, all productions should be placed in it, for it is frequented by French literati and savants who best know how to appreciate and emblazon American productions. They write articles, under my direction, for the best journals.

I trust that Mr. Wirt left a copy or draught of a long letter which he addressed to me concerning his nomination to the Presidency by the Anti-Masonic Convention at Baltimore. It possesses various and great interest. It is among the papers I left behind in Philadelphia, but no one survives me there who could discover it in the mass.³

Kennedy did not get around to acknowledging Walsh's letter until the following April. He appreciated Walsh's fine comments and explained that the first printing of the biography of Wirt that appeared in the preceding October was quickly sold out. A copy of the second edition had been put aside in January to send to Walsh, but no one was found to transport it to Paris. Kennedy said, however, that he was sending a copy of the biography by a young man, William Williams, who was the son of Walsh's old friend Susan Cooke and Edward Williams. He commended the young traveller to Walsh.⁴ In a letter of August 25, 1850, Walsh acknowledged receipt of the biography of Wirt with thanks and took occasion to urge Kennedy on to other fields of useful authorship: "Public opinion, at home, and abroad will do you justice and honor for the excellent authorship. You will, yet, I trust find leisure in the course of the many years of life that may be reserved to you, to endow the country with more biographical and historical productions,—the most useful, perhaps, in the field of literature." Walsh said

2. *Ibid.*, October 17, 1857.

3. *Ibid.*, September 17, 1848.

4. Kennedy to Walsh, April 15, 1850, Kennedy Collection.

that he had not been able to be of service to young Williams, who had been kept from him by sight-seeing in the capital.⁵

Donald Grant Mitchell, the Connecticut essayist who wrote under the pen name of "Ik Marvel," was another distinguished traveller whom Kennedy commended to Walsh's care. Kennedy wrote to Walsh on June 15, 1843:

Mr. Mitchell, now most popularly distinguished in our literature for many admirable books which have reached you as the writings of Ik Marvel, has been recently appointed Consul to Venice, and will sojourn a short time on his way to Paris, with a purpose to work in the large libraries there, chiefly to find some materials for sketches of the city to which he is accredited. I take the opportunity of this visit of his to present him to you and commend him to your kind consul in reference to his object. I know it will give pleasure to put him in possession of what facilities your extensive acquaintance with Paris may enable you to command, and that his society will be a most valuable addition to your own gratification.⁶

If Mitchell passed through Paris as he planned, it seems quite sure that Walsh afforded him the most cordial service as a fellow litterateur, consul, and mutual friend of Kennedy.

Walsh's letters indicate that he was indefatigable in serving in many ways his countrymen, even when the services were not particularly related to his consular duties. Robert Gilmore, an old friend from Baltimore, asked him to collect autographs for him if he found the time. Walsh wrote that it would afford him great pleasure to do so.⁷ He secured an invitation for Jared Sparks, who was visiting in Paris, to attend with him one of the poet Lamartine's soirees.⁸ To Daniel C. Croxall, who was in Marseilles enroute to Italy, he tendered the names of several consuls in Italy who might be of assistance to him upon his arrival.⁹ He introduced Professor Romeo Elton, Doctor of Theology and Literature at the University of Rhode Island, to the Directors of the Public Libraries of Paris. Elton had come to Paris to do research in the libraries.¹⁰ A labor of love which Walsh performed for Yale University was that of securing books for the school's library. On August 27, 1845, he sent an invoice for 268 volumes to President Jeremiah Day and told him that he would continue to act as a procuring agent without a commission.¹¹ To Charles Gayarré, the novelist-historian-state official, Walsh offered to serve as an agent without commission to secure books for Louisiana's public institutions.¹²

A service which Walsh was often to perform for European dignitaries, most of whom were literary men, was to introduce them to distinguished Americans who

5. Walsh to Kennedy, August 25, 1850, Kennedy Collection.

6. Kennedy to Walsh, June 15, 1843, Kennedy Collection.

7. Walsh to Robert Gilmore, December 14, 1840, Robert Walsh, Jr. Collection, The Historical Society of Pennsylvania.

8. Walsh to Jared Sparks, February 12, 1858, Jared Sparks Papers, Harvard University Library.

9. Walsh to Daniel C. Croxall, October 4, 1848, Charles Roberts Autograph Collection, Haverford College.

10. Walsh to Messrs. les Directeurs et Bibliothèques Publiques de Paris, October 27, 1847, Miscellaneous Papers, Brown University Library.

11. Walsh to Jeremiah Day, August 27, 1845, Literary Correspondence, Yale University Library.

12. Walsh to Gayarré, April 27, 1847, Charles Gayarré Collection, Louisiana State University Department of Archives.

might be of assistance to them when they travelled abroad. On February 18, 1844, he wrote a letter of introduction to Edward Everett, Minister of England, for the Viscount Puibusque:

Viscount A. de Puibusque bearer of this note mentioned to me his wish to form your acquaintance. This gentleman ranks with the most accomplished and eminent of the Paris literati and enjoys like distinction from his family and social connexions. His beautiful and valuable work entitled *Histoire Comparée des Littératures Espagnol et Française* won the prize last year of the French Academy. He is employed on others which cannot fail to be equally successful. There is no question of interest literary or political on which M. de Puibusque is not able to communicate authoritative information. You will know [sic] hours to appreciate each other.¹³

Two years later when the Viscount de Puibusque planned a trip to America, Walsh favored him by writing letters of introduction to Albert Gallatin and Jared Sparks.¹⁴ Baron Charles Dumbrowski, author of *Two Years in Spain* and a gentleman "much esteemed in high Paris circles," was also recommended to the acquaintance of Edward Everett by Walsh.¹⁵ He presented an eminent Scottish man of letters to John Pendleton Kennedy:

D. Turnbull, Esq., a gentleman of Scotland who possesses much literary repute, has travelled widely in Europe, intends to make the tour of our Republic in order to study our institutions and conditions. It is right that he should be made known to those, who like you, can give him the social aid proper to his laudable purpose and I venture to recommend him to your courtesy, of which his [sic] worthy in every respect.¹⁶

Having been pained often in former years back in America by what he thought were mischievous accounts of travels by the British, Walsh no doubt was pleased to recommend Turnbull to the good direction of Kennedy, who would give him a favorable picture of America.

Walsh was untiring in his efforts to help get American works published in France, secure translators for authors, and publicize American works whenever he could. One such case, and one that was temporarily unsuccessful, was an effort to enlist Lamartine to translate one of Jared Spark's works.

I received, last week, from Mr. Bossange, bookseller in this city, a copy of your edition of Franklin. You may be already aware that Mr. de Lamartine finally declined the task which we proposed to him. Otherwise I would have placed in his hands, immediately, the copy in question. I have hopes that M. Duvergier de Flauranne [?], able writer and who understands our language, nearly as well as M. Guizot, will undertake what the poet's political business and the opinions of Mde. son epouse forced him to renounce. My condition is the same as when we had the pleasure of seeing you here except that I am stronger in health from my summer campaign at Versailles, where I exercised both body and mind with equal profit.¹⁷

13. Walsh to Everett, February 18, 1844, Edward Everett Papers, Massachusetts Historical Society.

14. Walsh to Gallatin, September 15, 1846, Albert Gallatin Papers, the New-York Historical Society; and Walsh to Sparks, September 15, 1846, Sparks Papers.

15. Walsh to Everett, n.d., Everett Papers.

16. Walsh to Kennedy, September 10, 1837, Kennedy Collection.

17. Walsh to Sparks, November 11, 1841, Sparks Papers.

Over a period of several years, Walsh carried on a lively correspondence with William H. Prescott, his Boston friend. Much of the correspondence had to do with Walsh's attempts to promote the literary welfare of and to encourage the historian. The universal acceptance of Prescott's *History of the Reign of Ferdinand and Isabella* (1838) pleased Walsh greatly. Upon receipt of it, Walsh set about to do what he could to advance the history in Paris, as a letter to the author shows:

I received yesterday from the Banking firm Welles and Co., the beautiful copy of your admirable work, which you have been so kind to send me. You may suppose that I value it doubly as a flattering personal recollection. When Mr. Ticknor received here several copies from London, I could almost have purloined one from him, for the gratification of reading it at leisure and causing it to be noticed in the Paris Journals.

He lent me the first volume, but could not afterwards obtain here the whole work. I will now chew and digest it with undiminished relish. One of my first endeavours will be to find a French translator equal to the office, and I think I shall soon succeed. I rejoice in your new undertaking—the History of the Conquest of Mexico and Peru—a rich theme worthy of your skillful and durable labors. In case I should protract my residence in Paris during the next autumn and winter, you will, I trust, employ me for any research or other cooperation within my power.¹⁸

Prescott proceeded with his *History of the Conquest of Mexico*, but there is no record of his calling on Walsh for any help. He stayed in touch with Walsh, however, through the letters of his friends in Europe. Early in 1841 Jared Sparks remembered Walsh—"who was in good spirits, but a little in the extremes"—to Prescott.¹⁹ Francis Calley Gray, an intimate associate of Prescott, wrote to the historian on October 4, 1841, from London and told him of Walsh's assistance in trying to help him locate a certain obscure chateau in France.²⁰ In late 1842 Walsh sent Prescott a book as a gift, encouraged him to persevere in his work, and again offered to help in any way he could:

My excellent friend, the Reverend Robert Baird, is so kind as to take charge of a new French History of Genoa, the most authentic hitherto published, which appears to me to be suitable for your library. Be so kind as to accept it—a very small memorial offering from a sincere admirer and well-wisher. I communicate here frequently with eminent Spaniards—such as Don Manuel de Marliani, Don Ramon de la [Segra?] and [?] who take a lively interest in your labors, and expect to see the most ample, correct, and elegant history of the Conquest of Mexico ever bestowed on the world.

Command me, I pray you, and believe in those deep sentiments of regard and honor with which I am, Dear Sir. . . .²¹

On December 31, 1842, Prescott thanked Walsh for sending him Emile Vincen's *Histoire de la République de Gênes* and explained plans for his *Conquest of*

18. Walsh to Prescott, March 9, 1839, William M. Prescott Papers, Massachusetts Historical Society.

19. Jared Sparks to William H. Prescott, January 28, 1841, in *The Correspondence of Prescott: 1833-1847*, ed. Roger Wolcott (Boston, 1925), p.199.

20. Gray to Prescott, October 4, 1841, in *Correspondence of Prescott*, p. 259.

21. Walsh to Prescott, November 15, 1842, Prescott Papers.

Mexico to his friend in some detail. Apologetic for the amount of time that he had spent talking about his book, the historian said: "When I have launched the work I shall have much pleasure in sending you a copy, and shall be very glad if it finds favour with you which you have shown its elder brother. I think I have talked quite enough about myself, but the interest you have always expressed in my literary labours has led me to do so, and will I trust be an apology for it."²²

In October 1843 Walsh sent two discourses of Martinez de la Rosa to Prescott along with a cordial letter. Prescott answered in a letter of November 15 and announced the completion of his latest work.²³ Walsh answered a month later that Galignani, a publisher of Paris, had issued the *Conquest of Mexico* in three neat octavos and that he, at the publisher's request, had written a notice to introduce the new work. Again Walsh was highly complimentary of Prescott's authorship.²⁴ On December 23, 1843, Prescott wrote to Walsh that he was sending him a copy of the latest American edition of the *Conquest of Mexico*, expressing the hope that it would find the same favor in his eyes that he had showed its "elder brother."²⁵

The warm relationship between the two men continued. In a letter of September 18, 1845, Walsh acknowledged receipt of a letter that told of a gift of some essays from the historian, gave Prescott a report on the reception of the *Conquest of Mexico*, and told him of his election to one of the French learned societies:

I received only a few days ago your very kind letter announcing the gift of the volumes of miscellanies. To be remembered by you in this way is, indeed, a high gratification and a permanent honor. The volumes have not yet been delivered to me. I mean to dun the bookseller a few days hence: the North American Review has not come within my reach since 1840. You are noticed, I perceive, in several of the London daily papers. A critic in the Morning Chronicle does willfully partial injustice, and commits illiberal preposterous disparagement. In a recent number of the Sun, there is a proper article—impartial, kind, and well phrased. Give us more immortal history, My Dear Sir, and the cavillers will be reduced to despair. Monsieur Chevalier has turned your *Conquest of Mexico* to abundant account in the *Journal des Débats*; he will publish a volume there on it? and the French glorifiers give him original credit. All your researches and revelations have already been assigned to him in a principal journal. As soon as I heard of the death of Navarrette, I addressed myself to three leading members of the A. of M. Sciences suggesting your name, and I was immediately apprized by them of your election: all of us have a jealous friend in Baron Charles Dupin, with whom I have been many years closely connected. Chevalier's essays in the Debates served chiefly to make your merits on special titles known to the Academy. I am sorry that the two Boston gentlemen whom you introduced to me did not afford me an opportunity of being useful to them.²⁶

During his labors on his third great work, the *History of the Conquest of Peru*, Prescott found time to write Walsh about the literary efforts of their mutual

22. Prescott to Walsh, December 31, 1842, in *Correspondence of Prescott*, p. 326.

23. Prescott to Walsh, November 15, 1843, in *Correspondence of Prescott*, p. 326.

24. Walsh to Prescott, December 12, 1843, in *Correspondence of Prescott*, pp. 415–16.

25. Prescott to Walsh, December 23, 1843, in *Correspondence of Prescott*, p. 420.

26. Walsh to Prescott, September 18, 1845, Prescott Papers.

friend George Ticknor and to reminisce about their pleasant visits at Walsh's home in Philadelphia in former years. "I passed a few days in Philadelphia in April last," wrote the historian to Walsh, "where however I missed several of those faces I had the happiness to see when at your hospitable table with Ticknor many years ago."²⁷ When Prescott finished his *Conquest of Peru* in 1847, he sent Walsh a copy. Walsh accepted the work with the same enthusiasm and gratitude with which he had received the others, and again proffered his services to the author on other literary projects he had planned:

It is only a few days since I received your highly interesting letter and the precious copy of your admirable work—the History of the Conquest of Peru. I had bought the London copy, and the two octaves of Galignani's edition; and my daughter, Mrs. McBlair, now of Boston had sent me the American—of which I feel particularly proud. So you see, I am rich, and can afford to bestow the London book on some French friend capable of appreciating your unflagging muse. You are again everywhere happy and successful. I devoured Galignani's volumes, as the easiest for the hand under the shades of the grove on the most magnificent terrace in the world—that of St. Germain-en-Laye, where I passed a delightful summer. The common inquiry is—know—not merely to be sure of another repast of exquisite gusto, but to feel myself authorized to seek and transmit what might serve your aim. You will, of course, command me without limits. Visit Europe; in a fortnight you can be in this capital, and in London.²⁸

Certainly Walsh would have been grateful for Prescott's last great work, the *History of the Reign of Philip II*, and would have promoted it in Paris, but the venerable historian died on January 28, 1859, before it was published. Walsh himself followed the author in death by only about a week, on February 7, 1859.

A few months after Walsh's death, M. Jomard, Secretary of the Institute and a close personal friend of Walsh, wrote an extensive necrology in the *Journal Des Débats Politiques et Littéraires*. In the tribute, the writer said of Walsh:

He...liked to present to the French men of learning Americans who had come to France to gain knowledge of any subject whatsoever; we were happy to oblige him in these endeavors. He rendered no less service to his fellow-citizens in obtaining for them useful *points of information* and in answer their inquiries pertaining to France. . . .He liked to circulate in France works of his fellow-countrymen, recent discoveries, trips of exploration, astronomical works, strides made in navigation, improvements of all kinds all the way from the electric telegraph to the recent introduction of camels in to the American army. The moment an accredited newspaper would bring him an important news item having to do with the arts and sciences, he would communicate it immediately to the Institute or to our learned Societies. He put no less alacrity in having sent to America new achievements of French scientists and men of letters.²⁹

Walsh's private correspondence verifies the genial services to American and French *savans* and writers of which M. Jomard publicly spoke.

27. Prescott to Walsh, July 10, 1847, in *Correspondence of Prescott*, p. 657.

28. Walsh to Prescott, September 12, 1847, Prescott Papers.

29. *Journal Des Débats Politiques et Littéraires*, June 28, 1859, p. 2, col. 4.

From Forest to Friendship

VERA RUTH FILBY

A GENERATION OF MARYLANDERS HAS RATHER CASUALLY THOUGHT OF FRIENDSHIP AS the name of a bustling airport, closer and appropriately more personable than the busy behemoths near Washington. Typically one going to Friendship is hurrying against time and hoping to avoid a traffic jam so as to make a flight; or, conversely, leaving the airport upon returning from a trip, one's thoughts center on where one has been and the anticipation of seeing home again. On either occasion, coming or going, Friendship itself—its history and development—hardly attracts one's attention. But now that in the name of progress and labeling precision the warmly human name of Friendship has been changed to Baltimore-Washington International, perhaps we can pause to examine how such a modern technological facility as an airport came to possess, at least for a while, such a name as Friendship.

Where did the name originate? If one had to guess, one would probably make up a plausible and attractive story about international cooperation, but that guess would be wrong. The airport was named for Friendship Methodist Church, which stood in about the middle of the site acquired for the airport. The church cemetery is still there, and when the airport was new it was a local lovers' lane and a place to drive to on summer evenings to watch the airplanes come and go.

One of the first roads through the site was Elkridge Landing Road; what does its name signify? It was once a rolling road, and down it hogsheads of tobacco were rolled to the wharves at Elkridge Landing for shipment in sailing vessels to ports in England. Coming to and from the airport one has little awareness of the nearness of salt water, but from the air one can see how close it is and understand why the region developed as it did. In the early days, Elkridge Landing was the port for this roadless hinterland, and through it and because of it the region was settled.

When the European settlers first came they found a fine, broad estuary, and at the head of it a beautiful stream tumbling through a long gorge. In colonial times a tide of five or six feet washed the port at Elkridge Landing. Now the river is shrunken away, sunk in foulness, and nearly dead.

We call the river Patapsco, a corruption of the Indian name, which some authorities interpret as "back water" and others as "at the rocky point," the latter a reference to the limestone rocks in the river at the mouth of Rock Creek. On the earliest maps it is shown as Bolus flu, a name given by the first white explorer to record his visit, Captain John Smith. On his first voyage up the

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Chesapeake Bay, from Jamestown in 1608, he and his party had sailed along the cliffs of the western shore, where they found "the coast well wated, the mountains very barren, the vallies very fertil, but the woods extreame thicke, full of Woolues, Beares, Deare, and other wild beasts." The first inlet they found they called *Bolus* "for that the clay (in many places) was like (if not) Bole-Armoniacke." The reference was to a reddish clay valued for its medicinal properties; the clay they saw was probably one of the many deposits of iron ores, which were later to become the basis for industry.

But the days of mines and forges and furnaces lay in the future, and for many years after the bayshore settlements of St. Mary's and Annapolis were established, few white men penetrated the forested wilderness. Even the red men had no permanent settlements there. As late as 1909 a journalist could write that the Chesapeake shores in the early days "were infested by hordes of red men" (at this further distance in time it strikes us as cruelly prejudiced to see these doomed people as "infesting" their own country), but in fact Captain John Smith had found the Patapsco "a river not inhabited." It was then a territory of contention between the peaceable Patuxents and other Algonquin tribes to the south and the aggressive Susquehannocks to the north, an Iroquois tribe whom Captain John Smith described as "a Gyant like people."

One of the earliest records of land near the area is dated 1677, when "Charles Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore" granted to Nicholas Painter "all that Parcell of Land called Andover lying in Baltimore County on the South side of a River called Patapsco River in the woods beginning at a bounded red oak and running with the Line of the Land of Anthony Holland and the Line of the Robert Lockwood west northwest. . . ." For this grant of 1,640 acres Nicholas Painter was to pay "yearly unto us and our heirs at our receipt at our city of Saint Maries at the two most usual feasts in the Year Viz. at the feast of the Annunciation of the Blessed Virgin Mary and at the feast of St. Michael the Archangel by even and equal portions the Rent of Three Pounds & five Shillings & Seven pence Sterling in Silver or Gold. . . ."

The border between Anne Arundel and Baltimore counties at that time and until 1722 ran along the water divide between the Patapsco and Magothy Rivers, with its western terminus described as the Three Notch Pines, or the Girde Pines. On the Martenet map of 1886, two centuries later, the old county line is traced, and near the end of it three marks are shown with the label "Three Marked Pines" at a point a mile or so east-southeast of Annapolis Junction. The spot would probably now be somewhat north of the interchange of the Baltimore-Washington Parkway and Savage Road (Annapolis Junction Road, Route 32).

Andover is now the site of Linthicum Heights, but the name survives in Andover Road and other features. Andover did not extend to the Friendship area, but it adjoined property which did. The land straddling Elkridge Landing Road, northwest of the airport, can be traced back, though not without difficulty, through many changes of ownership and extent to the mid-nineteenth century, when the Conway family owned properties which still retained their old names of

Walker's Inheritance, Caple's Fancy, and Poplar Spring Garden. The exact outlines of these tracts are now difficult to place, defined as they were in the deeds and wills in terms of such landmarks and measurements as bounded red oaks and perches. But local memory can tell us that one of the Conway houses was near the present Airport Road underpass, and names of surviving features can help us keep our bearings.

Land grant records describe "Capells" Fancy, a tract of 100 acres, as "beginning at Two Bounded white oaks and two bounded red oaks standing by a branch called Kettens branch..." This would be Kitten Branch, which rises in what is now the airport and flows northwest along the Westinghouse taxiway, under Fort Meade Road (Route 170) near the sequence flasher approach lane, and on into Stoney Run. Kitten was the name of a family long since gone, but records show that a property called Kittens Chance "on the north side of the main branch of Stoney Run" was surveyed for Theophilus Kitten in 1708 and patented to Edward Kitten in 1743.

Walker's Inheritance, "Lying and being in Ann Arrundell County upon the south side of the Head of Patapsco River & on both sides of those Drafts of Patapsco River called Deep Run & Stoney Run," was a resurvey for Dr. James Walker of older tracts "to correct the original surveys and add vacant land." Dr. Walker acquired these properties in 1755 and sold them, along with part of Andover and other properties on the south side of the Patapsco as far east as Curtis Creek, to Thomas Harrison in 1758, at the same time acquiring from him a property called Scott's Folly on Elk Ridge. Walker's Inheritance contained 1730 acres and included Cupola Hill, Maccubbin's Discovery, and Mineral Ridge. Cupola Hill, which lay between Deep Run and Stoney Run, was granted in 1743 "unto James Macubbin of Annarundell County Gent." Maccubbin's Discovery was surveyed in 1744; its forty-one acres adjoined a tract called Stoney Run. Mineral Ridge was a resurvey in 1709 of tracts called Old Man's Folly and Neglect. With vacancies it comprised 660 acres, about 30 acres cleared, and its "improvements" included "1 Old Loghouse 18 foot by 12 / 400 panels old fence most of them saplin poles and Very rotten / 12 old scrub apple trees." This was part of the granite ridge which ran south from Elkridge Landing toward what is now Laurel, and in later years it was to become a summering place for wealthy families from the Landing and Annapolis.

Walker's Inheritance has had a confused history complicated by several lawsuits, and some of the transfers of all or parts of it, possibly including the earliest and certainly the latest, were for speculation. In 1753 John Worthington paid 4 shillings a year rent for Cappells Fancy. In 1802 "certain lands being part of Walker's Inheritance" were sold for 17 shillings an acre. In 1833 Andrew Ellicott bought Caple's Fancy, Walker's Inheritance, and Poplar Spring Garden for \$3.00 an acre. And in 1967, a parcel of that land cost \$50,000 an acre.

In between, the land has been logged, farmed, and probably mined, and now it is being very rapidly industrialized. The probability of mining, though not necessarily for iron, is shown by the name Mineral Ridge, and evidence appears in the indenture for the sale of the properties to Jesse Conway immediately after their purchase in 1833 "reserving nevertheless to the said Andrew Ellicott Junior

his heirs, executors, administrators and assigns being proprietors of the Iron works now owned and used by the said Andrew Ellicott Junior at or near Elkridge Landing the absolute right and propriety in all sands and other earths in said lands which may be suitable and proper for mouldings.”

Underlying much of the area is the Arundel formation, which was and still is rich in iron deposits. The importance of iron in the Elkridge region is still reflected in placenames like Furnace Road and Furnace Avenue, at the bottom of Elkridge Landing Road, and local people can tell one where traces of iron workings are to be found. Iron ore, with its bulk and weight, made a good companion cargo with tobacco, which was the basis of Maryland's economy even in regions where the soil was not really suitable for growing it. Tobacco was the cash crop. Tobacco was wealth. Tobacco was currency: fees and salaries were paid in tobacco; goods could be bought with tobacco. The Assembly in 1696 authorized four rolling roads to be marked and cleared for the rolling of tobacco to ports of Anne Arundel County. In 1763 more than half the county's tobacco crop was shipped from the wharves of Elkridge Landing.

One of the few records of Elkridge as a seaport is a log kept by Charles Dorsey, master of the snow (a square-rigged ship) *Baltimore Town*, on a voyage from London to Virginia and Maryland in 1757. She had called at Hampton Roads, Annapolis, Hawkins Point, and Baltimore and had delivered the last of her cargo. Here are a few of the December entries quoted from the log which is now in the manuscript collections of the Maryland Historical Society:

Remarks on Munday Decemb^r 19th 1757

Strong frosty weather had 4 hands Rattling the Shrouds fore and aft took in two flatt Loads with Iron one with 9 tuns and the other with 8 tuns the flatt Returned Back without tobacco the River Being frose up and we have Ice all Round us but not fast yet had 4 carpenters & two hired man at work

Remarks on Satturday Decemb^r 24th 1757

sent a flatt and four hands to town carpenters came on board with 98½ pounds Bolts and Spikes Received on board 20 hh^{ds} of Tobacco had 4 carpenters at work Better than half a Day a fresh gale of wind about SW—Elkridge frose up

Remarks on Munday Decemb^r 26th 1757

all hands at work sum stowing in the hold won Spinning Spunn yarn old partick on shore carpenters finish the fore Top got him over the mast head had one hired man Half a Day in the hould Elkridge Open

Remarks on Wednesday Decemb^r 28th 1757

fine moderate weather got the furick shrouds up Reved most of our Guning Ropes about the fore yard had 2 carpenters most of a Day and three hired men all Day got 10 hh^{ds} of tobacco from town and eight from Elkridge came on board about 9 or 10 clock at Night

The hogsheds of tobacco would have been hauled down the rolling roads to the landing. In earlier days, when the plantations were near the river and had their

own wharves, sailors from the English merchant ships had to move the planter's tobacco and load it aboard. This was no hardship then, but as new plantations were established farther from navigable water, the system became burdensome, and in 1727, in response to the complaints of the London merchants, the Assembly passed a law requiring the planters to deliver their tobacco to a convenient wharf. Thereafter the planters used slaves or indentured servants or draft animals to roll the heavy hogsheads down the rolling roads to the river.

Tobacco and iron, then, built the port of Elkridge Landing. And tobacco and iron killed it. Tobacco is a ruinously greedy crop, and so is corn, which the planters also grew. The soils of the region soon became depleted, and runoff from the cultivated fields began to wash down into the streams and the river. Timber was cut to make charcoal for the iron foundries, and the cutover hillsides eroded. To the increasing accumulations of silt in the river was added ballast dumped overboard from the merchant ships. Many of them came from England carrying brick, which was cheap there and made a steady ballast, and many a colonial house was built of English brick. But often the ships had to take on sand or stone for ballast after unloading cargo. By mid century the river was dwindling and the channel filling with silt. In an effort to control the deterioration the Assembly in 1763 decreed that "No earth, sand or dirt was to be thrown into or put upon the beach or shore of the Patapsco or any navigable branch thereof below high water mark except when secured by stone wall or dove-tailed log-pen from washing into the river. Under a penalty of five pounds current money." (No doubt some of the merchants did what some do today—they continued to pollute and when caught paid the fine, since it was trivial compared to the profits.)

The pattern of agriculture began to change in 1774 with the arrival of the Ellicott brothers, Joseph, John, and Andrew, Quakers from Pennsylvania, to establish a flour mill at one of the rapids in the gorge of the Patapsco. Like other settlers before and after them, they arrived at Elkridge Landing, the only port of entry for upper Anne Arundel County, and they had their machinery and other equipment shipped in to the Landing and then carried over the rough trails to the mill site. The brothers encouraged the shift from tobacco to wheat so successfully that by 1783 they began to export flour. They shipped it, however, from Baltimore, which was growing rapidly, while Elkridge declined.

The Landing had reached the climax of its development before and during the Revolution. The Ellicotts had found there a prosperous town. Beautiful manor houses, some of which survive, had been built in the surrounding hills, and a wealthy gentry supported a trade in fine English linen, silk, chinaware, tea, and other luxury goods. With the Revolution, the English factors went home, but a wartime economy kept the port busy. After the war a trade developed with Germany, but soon there were willow thickets and swampy ground and meadows where formerly ships had sailed, and Elkridge Landing died as a port.

The country south of the Patapsco by the early and middle nineteenth century was a sparsely settled region of large farms, some of them poor, some abandoned. A picture of what part of it must have been like emerges from a traveler's diary deposited at the Maryland Historical Society. Isaac Van Bibber, a Baltimore lawyer, was on a journey through Maryland to collect money to build a church in Westminster. In his entry for Thursday, March 14, 1864, he wrote:

About 9 o'clock I again started upon my way, having picked up about \$40.00 at Ellicotts Mills. I rode along the romantic bank of the Patapsco as far as Elkridge Landing, about 8 miles, where I knocked at the door of Dr. Worthington's house, to inquire for the Episcopal clergyman residing there. No one coming to the door after I had knocked repeatedly, I rode on two miles further, when finding it 12 o'clock, I stopped at a tavern to have my horse fed, and to take a little snack on my own account. Here I was told that the road to Annapolis was very difficult to find, but that I could obtain conveyance for my self and horse upon the rail-road, about 10 miles distant. Thither, I repaired after a slight meal of eggs and crackers. When arrived at the relay house, I was told that there was no car suitable for transporting horses, but that I might send a boy from Annapolis & have my mare ridden down by the country road. This plan being the only one left me, I set out in the car for Annapolis and reached it, though distant twenty miles, in less than an hour. The rail-road appears to be very well constructed; but passes through one of the dreariest and most poverty stricken countries I ever saw. The appearance of an abundance of pebbles in the soil, between this & Elk-ridge, shows that this part of the country was originally under water....

And he then proceeded to indulge in the geological speculation that interested so many educated gentlemen of his day.

The railroad must have been the Annapolis and Elk-Ridge Rail Road, which was under construction in 1839. It connected with the Washington Branch of the Baltimore & Ohio at Annapolis Junction "near the 18 mile stone from Baltimore in the vicinity of the Savage Factory," and crossed the Washington Branch of the Baltimore & Potomac at Odenton. The latter ran almost due north from the junction and alongside Stoney Run, as it still does, now as the Penn Central.

About a mile east of Baltimore & Potomac on a tract of land called Timber Ridge, a grant to Charles Carroll of Carrollton, a Methodist church was built in 1840. The inclusion of Negro members in the church records for many years, though separately listed, suggests an amicable relationship, but resolutions in the minutes of the meetings by the 1860s begin to reflect the split that tore apart the church, the community, the state, and the nation. The Civil War and Reconstruction completed the rupture, and some of the members of the Timber Ridge Church withdrew and established their own group, which came to be known as Friendship Methodist Episcopal Church, South. It was the presiding elder who had suggested the name Friendship, because of the friendliness and congeniality of the membership. For a time the congregation met in a tent while they erected their first building across Telegraph Road from Timber Ridge Methodist Episcopal Church, whose congregation later moved to Patapsco Methodist Church. The first Friendship church burned down in 1919, but in 1900 the congregation had built its second. There they worshipped nearly half a century, until construction of the airport began. The last service was held on Easter Sunday, 1948. By then the three branches of the Methodist Church, Northern, Southern, and Methodist Episcopal, had united, and at last the Timber Ridge and Friendship congregations were reunited as Wesley Grove. A new church building, incorporating the stained glass windows from Friendship, was built on Dorsey Road near Ridge Road and was consecrated in November

1951. Installed in the foundations were the cornerstones of the old Friendship churches, one dated 1866 and the other 1900.

Throughout most of its years, the Friendship Church had served a mainly farming community. The countryside thereabouts was not rich, as Isaac Van Bibber had observed. Some glimpse of the lifestyle of the region is reflected in the inventory in 1919 of an Elkridge Landing Road farmer who had died. It included a safe, a walnut stand, ten chairs, a watch, guns, farming implements, market wagons, a harness, a mowing machine, a hotbed sash, one horse, and two mules. These last, together worth \$100, were the most valuable property listed.

Though tobacco continued to be raised, the nearness of the expanding Baltimore urban market favored the development of truck gardening, a form of agriculture better suited to the variegated sands and clays, Sassafras loams, and Norfolk sand of the region. An apparently effective and mutually satisfactory urban-rural system for harvesting the market garden crops developed by the 1870s and continued into the 1930s. Farmers drove their wagons, later their trucks, to the Polish neighborhoods of Baltimore to fetch the women, children, and older men who had been recruited to work on the farms, where they were housed in "shanties" with straw for bedding. The younger men stayed at their jobs on the docks and elsewhere in the city, but on Sundays they came out by train to visit their families, and there was feasting and music and dancing. In time some of these people acquired land and became farmers themselves.

In a system perhaps unique to northern Anne Arundel County the farmers paid the pickers in brass tokens called picker checks. About the size of a penny, they were engraved with the farmer's initials on one side and a denomination on the other representing the amount picked, in quarts or pecks or bushels. Often the shapes of the tokens indicated the crop—round for peas, octagonal for beans, scalloped for strawberries, among others. The pickers later redeemed them for cash from the owners or used them for money in the local stores. Even a few Baltimore shopkeepers accepted them. In recent years caches of picker checks left from those days have been made into charm bracelets and sold for the benefit of local institutions.

And so, by the beginning of World War II, this was a region of tobacco fields, market gardens, orchards, pastures, woodlands, and small streams flowing through wooded valleys. (Stoney Run was described in a state survey of water resources as late as 1951 as a "sucker stream" and Kitten Branch as a "dace trickle.") About a mile northeast of Friendship Church was the intersection of Elkridge Landing Road and the road called at different times Telegraph Road, Old Annapolis Road, Camp Meade Road, and Fort Meade Road. This was Wellham Crossroads, named for a family descended from John Wellham, who was born at sea of English immigrant parents in 1797. It was near this crossroad, once the site of a country store and the local post office, that the nine-story airport terminal building was later to rise.

During World War II it became obvious that Baltimore's Harbor Field would soon be inadequate as the city's airport, and in 1944 the Baltimore Aviation Commission recommended acquisition of a site nine miles south of Baltimore centered on Friendship Church. They selected this site because its position on a

plateau rising to some 190 feet and its sandy soil permitted good drainage. The site was referred to as Friendship from the beginning. Other names were proposed, including Baltimore City Memorial Airport, but the matter was settled in January 1948, when Mayor Thomas D'Alesandro, Jr., wrote the following letter to Walter F. Perkins, Chairman of the Airport Board:

Dear Walter:

Thank you for your letter of January 26th reporting to me on the meeting held in the office of the Association of Commerce on Friday afternoon at which plans for having the new airport designated as co-terminal with Washington was discussed.

I concur in your views regarding the use of the City's name in connection with the airport which might, as you say, jeopardize and perhaps cause opposition to the efforts to secure co-terminal status. To me the name Friendship International Airport is ideal and I heartily approve of it.

With warmest personal regards, I remain,
Sincerely yours,
[signed] Tommy

In 1947 a contract was let for relocation of Fort Meade Road. Soon clearing of the runways began, and aerial photographs in November and December show great, broad, pale, star-shaped smudges across the landscape, as if an immense stamp had been slammed down to mark it CANCELLED. Elkridge Landing Road, which had wandered across the countryside eventually to become 5th Street in Glen Burnie, disappeared into one smear and reappeared out of another. Wellham Crossroads had been obliterated. The houses scattered over the 3,300 acres of the airport property, some of local historical interest, had to be removed; a few were reestablished elsewhere, but most were destroyed.

The airport acreage also contained 17 cemeteries, most of them the small family graveyards so typical of the area. By spring of 1949 only two were left. One was Friendship Cemetery, which is still there. The other, situated beside Kitten Branch between the west and northwest runway ends, was Holy Trinity, a Russian cemetery. The city of Baltimore moved it to a new site off Elibank Road in Howard County, where only a few years later it was again threatened, this time by construction of Interstate 95. It was spared, however, and remains there on a grassy hill surrounded by thick woods, Cyrillic inscriptions on many of the gravestones, photographs of the dead on some.

When the airport was finished, at a cost of \$12,758,000, it was four times the size of LaGuardia, five times the size of National, and considered by *Engineering News-Record* "the world's best airport." It was officially opened by President Truman in June 1950. On the first day of scheduled flights a month later hordes of spectators 80,000 strong turned out and created traffic jams backing up for miles.

Since then the story of Elkridge Landing Road and the Friendship region has been one of accelerating industrial and business development. For a time a Nike missile site crowned the hill where the Marriott establishment is now, but Nikes proved to be ephemeral features of the landscape. With the construction of the Baltimore Beltway, which opened in 1962, the road was further segmented, and



Friendship Airport, carved from forests and farmlands. *Graphic collection of the Maryland Historical Society.*

now one can't get to Elkridge Landing on Elkridge Landing Road. Small plants and low, multipurpose structures appeared, then a high-rise office building, then another, then a motel. . . . There seems to be every reason to expect continuing growth and construction, with the airport and its satellite installations as a focus. The airport itself is a major employer, and its value by 1970 had increased to \$150 million.

And so we have scanned the story of 300 years from forest to incipient megalopolis. But immense though the changes have been, the one basic fact remains unchanged, here and everywhere, that the land's peoples must try to solve the same problem of how to get a living from it, whether directly like the Indians and their successors, the subsistence farmers and early iron makers, or increasingly indirectly like us today in business and government—without destroying it. The small population of Indians in the region lived as best a Stone Age people could in a tidewater woodland environment. Destructive enough in their own way, they were probably as nearly a natural part of the climax forest as the elk whose presence is recorded in Maryland names like Elk Ridge, Elk Neck, and Head of Elk. They hunted the deer and small game and waterfowl. They caught the herring and shad during the spring runs and all the other abundant fish at all seasons. They dug clams and oysters. Some of them built houses of bark in palisaded villages and planted corn in burnt clearings. To us it seems they must have lived a happy-go-lucky life, when they were not fighting, rather

like a perpetual camping trip. But happy or not, that life was doomed when the white man came. And the Patapsco was doomed too. In the Indians' time the effects of floods were mitigated by the capacity of the natural vegetation to absorb and hold water. But with settlement and cultivation much of this cover was lost, as the surviving islands of field and forest are being lost today. The great flood of 1868 washed out what little had remained of the port at Elkridge Landing. The ravages of tropical storm Agnes in June 1972 left the low areas along the streams even more vulnerable and subject to flash flooding than they were before. So our numbers continue to increase, and we know we are part of the conflict that must some day be resolved, but few of us have any idea how the resolution will come about. The future has a story no doubt as interesting and filled with surprises as the past.

Genealogica Marylandia

Genealogical Studies of Black Families

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IN RECENT YEARS AMERICAN BLACK FAMILIES HAVE SHOWN INCREASING INTEREST IN THEIR PAST history. No doubt a renewed pride in their past origins has led many to wonder about the extent to which they could trace their own genealogy. There are perhaps other reasons as well. Increasing knowledge of genealogies in other ethnic groups, the rapid growth of such related disciplines as ethnology, anthropology, and human genetics—all of which utilize genealogical information—are also, in part, responsible for this new interest in black genealogies. Furthermore, the increasing number of well-educated, middle class black families are known to show keen interest in their family pedigrees.

There are about 750,000 black citizens in the state of Maryland. Blacks have been a major influence in Maryland history and culture since 1634, when the first servants were brought into Maryland from Barbados.¹ The Maryland assembly began enacting measures as early as 1644 to make the newly arriving black servants and their descendants into legal slaves. Later, however, mainly due to the liberalizing efforts of the Quakers and the Methodists, communities of free black people were established and flourished. Maryland thus has one of the oldest settled black communities in the country. The families and their relatives, in many cases, did not migrate very far from their original places of settlement. Hence it is well suited for genealogical research.

The aim of genealogical research is to make accurate records of true genetic relationships between members of a family. In this process, the information may come from a variety of sources, sociological as well as historical, and written or oral. Genealogy and genetics have thus much in common. Genealogy is the study of lineage, and involves the recording of all descendants from a common ancestor. Genealogical records are primarily of historical and cultural interest. Genetics, on the other hand, deals with the physiology of descent. Specific laws of inheritance are formulated on the basis of the transmission and expression of normal (hair color) as well as abnormal (hemophilia) characters in families. Accurate identification of biological parents and other close relatives is absolutely essential for genetic studies. It must be realized, however, that biological factors, so often studied in racial genetics, may have to be considered in genealogical studies also. It has been estimated that just as 20 percent of the genes of American blacks have been shown to be of white origin, the American whites also may owe about 20 percent of their ancestry to American blacks.² There is no doubt in this context, that genetics and genealogy are inseparable, and that there is no sharp distinction between so called "pure" whites and "pure" blacks. It is meaningful, however, to discuss

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1. Franklin C. Showell, "The Socio-legal Status of the Negro in Maryland," *Maryland Law Forum*, 4 (1973): 5-12.

2. T. Roderick, "Negro Genealogy," *The American Genealogist*, 47 (January 1971): 88-91.

the term black genealogy, since when individual families are considered, one is dealing with a socially recognizable black group without any ambiguity. It is thus justifiable to speak of black genealogy, black heritage, and black ancestry.

The tracing of black genealogies poses certain special problems. Records for blacks, in the past, have been relatively scarce compared to those for whites. Some churches and vital records, letters of correspondence, records of property transactions, wills of white owners, personal diaries of both blacks and whites, are useful source materials. Another useful source are the Registers of signatures of depositors in branches of the Freedman's Savings and Trust Company, 1865-1874. These records, available at the National Archives in Washington D.C., contain much personal information as well as the names of relatives, present employer and former master.³

The origin of black surnames may lead us to white slaveowners, or in some cases, to real biological parents, whether they be black or white. In some cases it has been possible to trace a family to the arrival of one black individual from abroad. For example, Mr. Alex Haley, biographer of Malcolm X, on the basis of some words transmitted from his ancestors traced his origins to a tribe in Africa, which he was able to visit personally. This, of course, was an exceptional case, and much luck, financial support, and great personal determination on Mr. Haley's part were responsible for his success. Even with all the resources available, there is no assurance that each family would be successful in tracing their genealogy very far back in history.

In the light of the above discussion, it seemed reasonable to initiate a black genealogy project under the auspices of the Maryland Commission on Afro-American and Indian History and Culture. Dr. Dronamraju, one of the authors, has had extensive experience in tracing family pedigrees for genetic research, and the same methodology is applied to genealogical research as well.

At first, a preliminary note of explanation and a short questionnaire were mailed to about 200 black families in Maryland, most of whom resided in or near Baltimore. Wherever cooperation was forthcoming, it was followed up by recording more extensive family history in a genealogical table, specially designed for that purpose. At least three generations were considered. As examples, the following pedigrees may be cited. The first pedigree represents the normal pattern expected for a black family. All individuals in the first three generations, as expected, were born under slavery. These include the grandparents of the *proband* (the person first contacted to obtain family history).

The second pedigree is more interesting because it is possible to trace the *proband* to his paternal great-great-grandfather, who arrived in the United States as a cabin boy, and adopted a surname which has been recorded in the family. On his mother's side, his great-grandfather arrived from Barbados, and thus both maternal and paternal origins are well established. This, however, is not the case for many other families for which preliminary inquiries have been made. Indeed, it is quite possible that the task may prove more difficult than was considered earlier. No one really knows, since such a systematic study of black genealogies has never been attempted before.

It is too early to state if a black genealogy project faces any more special problems than has been anticipated earlier in this paper. Our experience, so far, is very limited. Clearly, the obstacles can be overcome only if funding is available, and if there is active cooperation from the public. Genealogically speaking, it provides many interesting facets of historical and biological research—both of which have already become obvious in our brief experience. Pedigrees will yield valuable data, for example, on family size among black families. Tracing of the ancestry will give us the necessary information for establishing a proud and accurate black heritage.

3. Mary K. Meyer, "Black Genealogy," *Maryland Historical Magazine*, 66 (Spring 1971): 79-81.

Reviews of Recent Books

Slaves Without Masters: The Free Negro in the Antebellum South. By Ira Berlin. (New York: Pantheon Books, 1974. Pp. xxi, 423. \$15.00.)

Since the publication of Frank Tannenbaum's *Slave and Citizen*, there has been renewed interest in the study of comparative New World slavery. An offshoot of this has been for scholars to investigate more closely individual territories to provide themselves with case studies, as well as particular groups within the society in an attempt to get as composite a view as possible of the whole. Ira Berlin's *Slave Without Masters: The Free Negro in the Antebellum South* is of the latter genre.

Concerning itself with the study of a group which theoretically occupied a critical position within the slave society, the book is an attempt "not merely to describe the freemen's style of life but also to understand how they conceived of themselves as a black elite in a slave society, or more accurately. . . . to understand how different classes of freemen conceived of their social role" (p. xiv). With a second theme necessarily centering on race relations, the author asserts that the treatment which whites meted out to free blacks in the antebellum period effectively set the stage for the subsequent treatment of blacks in the postbellum period. In a larger sense, the author's hope is that the book will increase our knowledge and understanding of slavery in the South.

A significant index of the relative openness or closeness of a slave system lies not only in the "frequency and ease of manumission" but also in the possibilities available for the erstwhile slaves to improve their material position and generally be assimilated into the society. Viewed from this perspective, the picture which emerges from *Slaves Without Masters* is one where the lot of free blacks (the author uses the terms "freemen" and "free Negroes") was grim indeed. The apparent liberal attitude towards manumission which the Revolution fostered was shortlived, and after the early 1800s the free black population grew at a much slower rate than it had between 1776 and about 1800. Because the slave population was growing much faster than the free black, the overall prospects of freedom for a vast number of slaves was something they could only hope for but rarely attain. In fact, while the free black population in the South dropped from 8.5 to 6.2 percent of the black population between 1810 and 1860, that of Barbados, St. Kitts, and Grenada increased its percentage of the black population between 1810 and emancipation in 1833, moving from 3.5, 9.1, and 5.5 to 7.5, 14.2 and 14.4 percent respectively.

Many free blacks in both the Upper and Lower South were effectively debarred from meaningful participation in most of the white-controlled economic institutions, and were consequently forced to eke out a living by seeking employment in the many areas where they had been sent to work as slaves. Petty trades and "service industries" were the most readily available avenues for them, and by 1860 skilled free blacks in Richmond and Charleston represented a percentage of all skilled workers in a proportion vastly out of keeping with the free blacks' share of the population. Lest the "positive good" arising from this be overemphasized, however, one needs to remember that free blacks were able to perform many of these jobs only because whites refused to perform them.

It was during this very period that the interpersonal relationships between free blacks and whites reached an all-time low. The author skillfully delineates the process through which whites—in charge of the country's political, social, and economic institutions—frustrated whatever attempts some free blacks made to separate themselves from both slaves and other free blacks and hopefully ascend one step in the social ladder. Despite

restrictions on manumissions, the growth of the free black population was creating a number of individuals who were no longer in the legal category for which their color seemed to have proscribed them. Whites therefore did everything in their power to deny free blacks the realities of freedom and frequently subjected them to the very strictures and abuses to which as slaves they had been accustomed. Significantly, the growth of proscriptive measures against free blacks seems to have coincided with a liberalization of slave codes and the growth of anti-slavery feeling, indicating perhaps the mistaken belief of whites that free blacks were more likely than slaves to be at the head of slave conspiracies. By curbing them and appeasing slaves somewhat, whites felt they were taking an important step in protecting themselves against the baneful effects of a revolutionary ideology that had swept everything before it in Haiti.

Such proscriptive measures, however, varied from state to state and occasionally they were enacted only after much difficulty. In Louisiana, for example, public officials championed the cause of free blacks and the latter occasionally strove actively to remove some of the disabilities under which they labored. For a time they successfully thwarted efforts to exclude members of their class from holding positions in the militia equal to, and in some cases higher than, those held by whites. But this might have been an exception, given the peculiar ethnic composition of Louisiana's population, and free blacks in that state seemed to have occupied a position which their brethren in other southern states never achieved.

Ira Berlin places so much emphasis on laws and official acts that we see the free blacks largely through the eyes of the lawmakers and public officials. Free blacks could, and doubtless very often did, circumvent the laws to such an extent as to make them "dead letters." What does this divergence indicate of the mood and goals of the free black community? We know very little of their culture, and not until we read Chapter 8 do we get insights into how it felt to be a free black. In that chapter the author treats the emergence and behavior of an elite, the attitude of members of this group towards their less well placed brethren, and generally the dynamics of black relationships. However, it seems that a systematic examination of the free black community by looking at institutions like the family (however defined), work patterns, and other areas would greatly illuminate the problem. The functional relationships which developed within the free black community merit much greater attention than they have received.

Nor have we discovered enough about the attitudes of free blacks towards slaves—with whom most were in daily contact and on whom many probably depended for a livelihood—and their stance on the important question of slave emancipation. The petitions presented by Louisiana free blacks, for instance, should be able to tell us more about the values and philosophies of at least one group. Petitions from this and other groups, written by/for themselves, would indicate, *inter alia*, what free blacks perceived to be the virtues necessary for advancement through a white-dominated society.

We really need to know more about persons who progressed from slavery to freedom. Although the author gives a number of examples and draws conclusions therefrom, it appears to this reviewer that there is lacking a systematic study of age, sex, and phenotype of persons gaining freedom, as distinct from the free black population. Until we get this and an idea of the number of persons who were being manumitted, it is risky to draw too many inferences about the nature of manumission based on the composition of the entire free black population, bearing in mind the differences which existed from region to region (Upper and Lower South) and that much of the statistical information is based on the 1860 census. Presumably manumission records are available which would assist in this direction. The same claim can be made for a sampling of the inventories of some free blacks and comparing their holdings with those of whites. Then we would be better able to

speak with more specificity on many matters that have so far eluded students of New World slavery.

The above criticisms, however, should not be viewed as condemnation for what is otherwise a commendable study. This is the most comprehensive book yet published on the free black in North America and the author has made a useful contribution to the literature on free blacks in particular and slavery in general. Significant portions of his research and his discussion center on Maryland, so readers of this magazine especially will find the book of value.

University of South Carolina

EDWARD L. COX.

Give Me Yesterday: American History in Song, 1890-1920. By Lester S. Levy. (Norman: University of Oklahoma Press, 1975. Pp. xii, 420. \$17.50.)

Mr. Levy, one of America's greatest collectors of sheet music, has once again demonstrated that almost any subject can be covered in depth by numerous pieces from his collection. His *Grace Notes in American History* (1967) covered popular sheet music from 1820 to 1900, and *Flashes of Merriment* (1971) concerned a century of humorous songs in America, 1805-1905. His latest work brings the story to 1920 and discusses American history in piano music, 1890-1920. There are fifty-three illustrations with four in color, and much of the music is calligraphed excellently by Henry W. Hoffman. Many verses of each song chosen are given. The title is taken from Ernest Ball's "Turn Back the Universe and Give Me Yesterday," a nostalgic favorite in vaudeville days, and this forms the tone of the whole book—nostalgia set to music. But music is not the only strength of the work. Mr. Levy has taken a tune and researched the event or the subject so that the reader gets a history lesson or a fairly complete biography, told in an easy yet compelling fashion.

There are ten sections: Show biz; Getting around; The big fellows; The ladies, God bless 'em; Growing pains; The muscle men; The tragic era; Relax is all; Progress! Progress?; and finally pieces which were much too good to be omitted, called "From different angles." "Show biz," as an example, treats Mary Pickford, Pearl White, Irene and Vernon Castle, Oscar Hammerstein, Enrico Caruso, and Gaby Deslys. "The big fellows" takes in Andrew Carnegie (with the tune *The Ironmaster*), Finley Peter Dunne (*Mr. Dooley*), John Philip Sousa, John D. Rockefeller, Teddy Roosevelt, Taft, and Wilson. For the younger reader it is possible to turn back the pages of American history in a charming manner; for the older reader, there is nostalgia. The themes are well chosen and illustrated, and with such a beautifully designed and printed book it is certain to be found in many homes, and of course it should be in libraries.

Maryland Historical Society

P. W. FILBY

To the Editor of the *Maryland Historical Magazine*:

Professor John Walton's review of *MARYLAND: A HISTORY 1632-1974* (Baltimore: Maryland Historical Society, 1974) in the *MARYLAND HISTORICAL MAGAZINE* (Fall 1975) leaves much to be desired in accuracy, information and tone. Like any other reader the reviewer is certainly entitled to his opinion of the book. But we do question his professional qualifications to review a book on Maryland history of this magnitude. He is a professional educator—a professor of education—not a historian, much less a historian of Maryland, whereas all of the authors of the new Maryland history have been involved through research and writing, and in some instances teaching, in the field of Maryland history.

The following comments point up several of the review's shortcomings:

1. In listing the names of the editors in the information heading Walton gives the name of one of the editors as "Richard" instead of William Lloyd Fox. May we not assume that he and the editor read galley proof before the Fall Number of the *MHM* went to press?

2. The reviewer tells the reader that there are "eight historians" involved in the publication whereas there are actually ten authors, including the two editors.

3. No mention is made of the fact that while the Maryland Historical Society was the publisher, the State of Maryland financed the project. This is not a matter of compelling importance, but it is information that some readers might appreciate knowing.

4. The reviewer criticizes the book for containing a surfeit of material; but then in his comments about Chapter I he suggests addition [*sic*] that "for example, Richard Cloud, a laborer, raised his social status by marrying Judith Goldsmith, the widow of John, who in turn had risen from the rank of Thomas Gerard's indentured servants in 1650 to that of an owner of three estates in 1683." (p. 315)

5. Walton observes; "In what purports to be a general history half as many pages are allotted to a century and a half of colonial history as are devoted to the industrialization of the state from 1860 to 1914." (p. 315) A careful count of pages in each of the two chapters—omitting illustrations—will show that the latter is no where near twice as long as the reviewer indicates.

6. The reviewer takes up each chapter in turn and makes a comment about it. He fails to mention, however, Chapter IV, "Politics in Maryland, 1800-1854," by W. Wayne Smith. This is indeed a surprise inasmuch as several important topics are discussed in this chapter, e.g. The Jeffersonian Period, Revival Partianship, 1824-1836, and Financial Problems and Constitutional Reform, 1840-1851.

7. Other omissions include the reviewer's failure to note the bibliographical essays which follow the chapters and the more than sixty illustrations that are scattered throughout the book.

8. In his discussion of Chapter VII, Walton points out that besides a discussion of the state's educational system in the period from 1865 to 1920 there is also included "H. L. Mencken, the Orioles, the Elkridge Club, the Preakness, the ethnics of Baltimore, and the crab-cake cuisine." (p. 316) Neither the Elkridge Club nor crab-cake cuisine are mentioned.

9. The reviewer fails to realize that belittlement and sarcasm, both of which he has employed rather liberally, may tell more about the reviewer than the reader cares to know. Walton chides the author of the chapter on "The Era of the Civil War" for indicating that "the period between 1854 and 1868 was a tumultuous one in the history of Maryland and the nation," calling this passage "this glimpse into the obvious." (p. 316) It may appear to be so to Walton, but it may not appear to be so obvious to a good many readers who are not well acquainted with this period of history.

10. Having quoted a passage from Descartes' DISCOURSE ON THE METHOD in which the great French philosopher said in part histories ". . . omit circumstances of a meaner and less dignified kind in order to become more worthy of a readers attention; hence the things which they describe never happened exactly as they describe them, and men who try to model their own acts upon them are prone to the madness of romantic paladins and meditate hyperbolic deeds," Walton ends his review with these lines: "By their undue emphasis on the prosaic aspects of historical reality these eight [*sic*] historians have at least reduced the probability of palatine madness and futile mediation on hyperbolic deeds among their readers." The point is clear, isn't it?

11. Should readers care to see what two historians have said in reviews about the new Maryland history, they should consult THE PENNSYLVANIA MAGAZINE OF HIS-

TORY AND BIOGRAPHY (July 1975) and THE JOURNAL OF SOUTHERN HISTORY (August 1975). The review in the *MHM* brings to mind those thoughtful lines from Dante's PARADISO (Canto XIII): "Wherefore it chanceth many times swift-formed opinion leaneth the wrong way, and then conceit bindeth the intellect."

We would appreciate the publication of this letter in toto in the MARYLAND HISTORICAL MAGAZINE, preferably in the forthcoming winter number.

Sincerely yours,
Richard Walsh
William Lloyd Fox

Editor's reply: I apologize for the proofreading error discussed in point one.

Dear Dr. Boles:

In my recent review of *Maryland: A History 1632-1974*, I gave the name of one of the editors as "Richard" Lloyd Fox instead of "William" Lloyd Fox. Although I did refer to him as "William" in my mention of his contribution to this collection of historical essays, I do want to apologize for the error.

The publication of this apology gives me the opportunity to correct another, less important, error in the review. In giving an illustration of social mobility in the seventeenth century, I referred to the ascent of John Goldsmith and Richard Cloud, and, in so doing, I stated that one of the latter's "daughters" married a grandson of Thomas Gerard. The girl in question was Priscilla Goldsmith, "a step-daughter" (or as sometimes referred to at this time a "daughter-in law") of Richard Cloud. She married Robert Slye, Jr., a grandson of Thomas Gerard.

Sincerely yours,
John Walton
Professor of Education
The Johns Hopkins University

Book Notes

Reister's Desire: The Origin of Reisterstown, Maryland, founded 1758, with a Genealogical History of the Reister Family and Sketches of Allied Families. By Lillian Bayly Marks. (Baltimore: Maryland Historical Society, 1975. Pp. xv, 236. \$15.00.) During her research on her family Mrs. Marks found her work concerned with Reisterstown, and from this has come a very good study of this area. The first 50 pages are devoted to the settlers, founders, churches, lands, houses, and property in Reisterstown, and information concerning the Reister family. Part two, of 60 pages, considers the Reister genealogy, and the final part, of over 100 pages, records allied lines and families. In the four appendices are land records, probate records, plats, and Civil War records. A remarkably well compiled index contains over 2,000 names with multiple references. All this, with seven full-page illustrations, descriptions of over 100 land tracts, and a hardbound typeset production by Garamond-Pridemark, is an excellent value for \$15.00. This valuable book is available only from the Maryland Historical Society. [P. W. Filby]

In Book Notes, *MHM*, vol. 69, no. 4, 1974, the review of Gibson's *Wills and Where to Find Them* mentioned that a revision of a book covering similar information was about to become available. Anthony Camp, Director of Research, Society of Genealogists, London, recently published his *Wills and Their Whereabouts* as a 4th ed. of Bouwens's work first published in 1939. It is ironic and unfortunate that Gibson and Camp chose similar paths because now researchers of British wills have an embarrassment of riches. One can take each volume and compare the treatment of similar materials, and whereas Camp is better in one chapter, Gibson shows superiority in another. In a book note it is impossible to consider each merit and demerit separately, but having considered each work from the view of the researcher, it is safe to say that anyone possessing either Gibson (Genealogical Publ. Co., Baltimore, \$15.00) or Camp (Pp. xlvi, 263, author, 162 Westbourne Grove, London, 1974, £3.50) should require the other. [P. W. Filby]

Maryland Marriages, 1634-1777. Compiled by Robert Barnes. (Baltimore: Genealogical Publishing Company, 1975. Pp. xi, 233. \$12.50.) The compiler has drawn the marriages from church records and other documents deposited at the Maryland Historical Society and the Hall of Records. Even though it is stated that the list is by no means complete, that certain records published lately have been omitted, and that newspaper notices have not been included, an astonishing total of about 12,000 marriages are here recorded. All marriages have been listed alphabetically under the groom's last name, and a list of brides is added to the work—truly a monumental task revealing that the compiler has kept the researcher in mind at all times. The book is immaculately produced, with a sturdy binding that will stand heavy wear. This is a first class reference tool. [P. W. Filby]

Descendants of John Hutchins of Newbury and Haverhill, Massachusetts. Compiled by Edwin Colby Byam; edited by Jack R. Hutchins. (Rockville, Maryland: Jack R. Hutchins, 23 Orchard Way South, 20854, 1975. Pp. xviii, 545. \$10.) This meticulously compiled work on the Hutchins family, probably related to Thomas Hutchins of London, who was one of the founders of the Massachusetts Bay Colony, is a credit to Dr. Byam, already retired from two academic careers. There is little of Maryland mentioned, but many other states, particularly in New England, are copiously indexed. The text is offset typewriter, and the

only criticism is that the index, containing thousands of names, is drastically reduced in size and is therefore difficult to read. For a text of over 550 pages, the price is most modest. [P. W. Filby]

Colonial Maryland Naturalizations. By Jeffery A. and Florence L. Wyand. (Baltimore: Genealogical Publ. Co., 1975. Pp. 104. \$15.00.) For the first time between the covers of one book, the Wyands have brought together the records of early denizations, naturalizations of foreigners by enactment of private laws in the General Assembly and under the Statutes of George I and II. The book is well arranged and indexed. Certainly one of the most important books of Maryland source records published during the current year, it should prove a boon to researchers with Maryland antecedents and those who may want to examine the ethnic structure of the province. [Mary K. Meyer]

Across the Years in Prince George's County. By Effie Gwynn Bowie. (Baltimore: Genealogical Publ. Co., 1975 [originally published in 1947]. Pp. 904. \$30.00.) Long the most important source of genealogical information on the old families of Prince George's County, this book deserved to be reprinted. Mrs. Bowie delineates the early history and interrelationships of more than four dozen prominent county families. An index of almost 100 pages indicates the scope of the work, one that is highly recommended to Prince George's County researchers. [Mary K. Meyer]

Marriage Licenses of Caroline County, Maryland, 1774-1815. By Henry Downes Cranor. (Baltimore: Genealogical Publ. Co., 1975 [originally published in 1904]. Pp. 62. \$5.00.) A comparison of this work with the original records from which it was transcribed reveals a shocking number of errors and omissions; 29 errors and 9 omissions in the first three pages alone. Granted that it is not always possible for reprint publishers to authenticate the material they publish, but in this instance it was inexcusable. We would strongly advise anyone who may use the work to resort to the original record of the licenses which is located at the Hall of Records in Annapolis, Maryland. [Mary K. Meyer]

The Pennsylvania-German in the Settlement of Maryland. By Daniel Wunderlich Nead. (Baltimore: Genealogical Publ. Co., 1975 [originally published in 1914]. Pp. 304. \$15.00.) Here we have one of the classic studies of the social life of the early German settlers of Maryland and the part they played on the various stages of Maryland history through the Revolutionary War. Although not genealogy *per se*, it contains lists of soldiers of the French and Indian War and the Revolutionary War, indentured servants, and early church members which will be most helpful to genealogists. Highly recommended to students of history and sociology as well as to genealogists. [Mary K. Meyer]

Memoirs. By James Cabell Bruce. (Baltimore: Gateway Press, Inc., 1975. From Author, 122 E. 58th Street, New York, N.Y. 10022. Pp. xx, 382. \$10.00.) Although James Bruce's father was born in Virginia, there is much in this work to please the Baltimorean. The Bruce family moved to 8 West Mount Vernon Place, and the father became City Solicitor under Robert M. McLane's mayoralty, 1903. The book also has notes on Baltimore's Great Fire. Mr. Bruce was at Princeton, Class of 1913, and for many years he was concerned with banking and business. He was Ambassador to Argentine during the Peron regime. This is a book where the author tells of his life and lovingly recreates incidents of local and general interest. As usual with a Gateway Press work, it is handsomely reproduced from typescript and well bound. [P. W. Filby]

Notes and Queries

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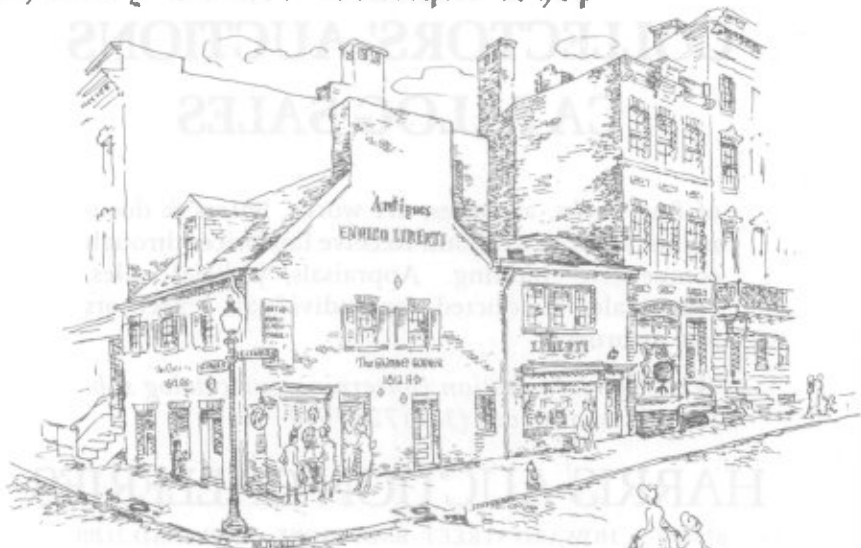
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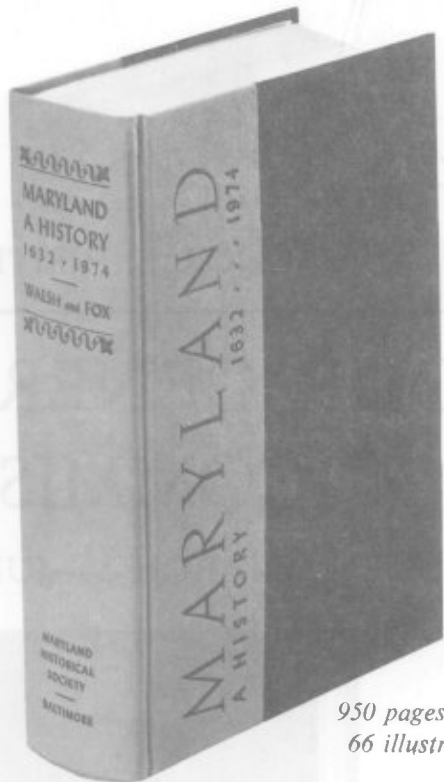


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