MARYLAND HISTORICAL MAGAZINE

Published Quarterly by the Maryland Historical Society

WINTER 1976
Vol. 71, No. 4

BOARD OF EDITORS

JOSEPH L. ARNOLD, *University of Maryland, Baltimore County*
JEAN BAKER, *Goucher College*
GARY BROWNE, *University of Maryland, Baltimore County*
JOSEPH W. COX, *Towson State University*
CURTIS CARROLL DAVIS, *Baltimore*
RICHARD R. DUNCAN, *Georgetown University*
RONALD HOFFMAN, *University of Maryland, College Park*
EDWARD C. PAPENFUSE, *Hall of Records*
BENJAMIN QUARLES, *Morgan State University*

JOHN B. BOLES, Editor, *Towson State University*
NANCY G. BOLES, *Assistant Editor*
RICHARD J. COX, *Manuscripts*
MARY K. MEYER, *Genealogy*
MARY KATHLEEN THOMSEN, *Graphics*

FORMER EDITORS

WILLIAM HAND BROWNE, 1906–1909
LOUIS H. DIELMAN, 1910–1937
JAMES W. FOSTER, 1938–1949, 1950–1951
HARRY AMMON, 1950
FRED SHELLEY, 1951–1955
FRANCIS C. HABER, 1955–1958
RICHARD WALSH, 1958–1967
RICHARD R. DUNCAN, 1967–1974

P. WILLIAM FILBY, *Director*
ROMAINE S. SOMERVILLE, *Assistant Director*

The *Maryland Historical Magazine* is published quarterly by the Maryland Historical Society, 201 W. Monument Street, Baltimore, Maryland 21201. Contributions and correspondence relating to articles, book reviews, and any other editorial matters should be addressed to the Editor in care of the Society. All contributions should be submitted in duplicate, double-spaced, and consistent with the form outlined in *A Manual of Style* (Chicago: University of Chicago Press, 1969). The Maryland Historical Society disclaims responsibility for statements made by contributors.

Composed and printed at Waverly Press, Inc., Baltimore, Maryland 21202. Second-class postage paid at Baltimore, Maryland. © 1976, Maryland Historical Society.

MSA SC 5681-1-284

MARYLAND HISTORICAL MAGAZINE

Vol. 71
No. 4
Winter 1976

HALL OF RECORDS LIBRARY
12,100
ANNAPOLIS, MARYLAND

CONTENTS

MARYLAND HISTORICAL SOCIETY

Board of Trustees

THOMAS S. NICHOLS, *Chairman*

H. FURLONG BALDWIN
GARY BLACK
JAMES R. HERBERT BOONE
MRS. JAMES FREDERICK COLWILL
JAMES W. CONSTABLE
LEONARD C. CREWE, JR.
JOHN M. CURLEY, JR.
MRS. GERSON G. EISENBERG
JOHN G. EVANS
MRS. JACOB FRANCE *(Honorary)*
HON. LOUIS L. GOLDSTEIN
BENJAMIN H. GRISWOLD, III
ROBERT D. H. HARVEY
LOUIS G. HECHT
JEROLD C. HOFFBERGER
HON. C. A. PORTER HOPKINS
SAMUEL HOPKINS
E. RALPH HOSTETTER
MRS. HAROLD DUANE JACOBS
H. IRVINE KEYSER, II
ROBERT G. MERRICK
ROBERT G. MERRICK, JR.
JOHN E. MOTZ
J. STEVENSON PECK
RICHARD C. RIGGS
JOHN D. SCHAPIRO
JACQUES T. SCHLENGER
TRUMAN T. SEMANS
A. RUSSELL SLAGLE
JOHN T. STINSON
J. FIFE SYMINGTON, JR.
WILLIAM C. WHITRIDGE

Officers and Members of Committees

Elected at the Annual Meeting, September 20, 1976

OFFICERS-COUNCIL*

Honorary Chairman of the Council

ROBERT G. MERRICK

President

LEONARD C. CREWE, JR.

Vice Presidents

CALVERT C. MCCABE, JR.
GEORGE M. RADCLIFFE
RICHARD C. RIGGS, JR.
MRS. W. WALLACE SYMINGTON, JR.

Secretary

MRS. FREDERICK W. LAFFERTY

Treasurer

JOHN G. EVANS

Counsel

JACQUES T. SCHLENGER

Former Presidents

SAMUEL HOPKINS
JOHN L. MCSHANE

Committee on Addresses

EDGAR G. HEYL, *Chairman*
G. LUTHER WASHINGTON, *Vice Chairman*

MRS. LOUIS AZRAEL
LESTER S. LEVY
GROVER WILLIAM NORRIS
JOHN POE TYLER

* *All committee chairmen are members of the Council.*

Committee on Buildings and Grounds

(Trustees of the Athenaeum)

ALLEN C. HOPKINS, *Chairman*
RICHARD W. AYERS, *Vice Chairman*

MISS MARTHA BOKEL
ARTHUR M. GOMPF
FRANCIS H. JENCKS
FRANK H. WELLER, JR.

Committee on Education

DR. MORGAN W. PRITCHETT, *Chairman*
DR. ROBERT SEAGER, II, *Vice Chairman*

LUDLOW H. BALDWIN
MRS. PHILIP BRISCOE
DR. REBECCA.E. CARROLL
GERSON G. EISENBERG
MRS. FRANCIS S. KEY
DR. THOMAS G. PULLEN, JR.
DR. JAMES A. SENSENBAUGH
MISS NETTIE B. TAYLOR
DR. DAVID W. ZIMMERMAN

Committee on Finance

TRUMAN T. SEMANS, *Chairman*
JOHN T. STINSON, *Vice Chairman*

BENJAMIN H. GRISWOLD, III
ROBERT G. MERRICK, JR.
JOHN E. MOTZ
THOMAS S. NICHOLS
WILLIAM C. WHITRIDGE

Committee on the Gallery

WILLIAM V. ELDER, III, *Chairman*
ARNOLD ROTHSCHILD, *Vice Chairman*

HARRY D. BERRY, JR.
MRS. GERSON G. EISENBERG
MRS. BENJAMIN H. GRISWOLD, IV
BRYDEN BORDLEY HYDE
R. MCGILL MACKALL
DR. ROBERT H. MCCAULEY, JR.
MRS. ALLAN J. MEAD
J. JEFFERSON MILLER, II
MISS ELISABETH C. G. PACKARD
RICHARD H. RANDALL, JR.

Committee on Genealogy and Heraldry

A. RUSSELL SLAGLE, *Chairman*
J. SEEGER KERNS, *Vice Chairman*

MRS. HARRY CLARK BODEN, IV
MISS ANNA M. CARTLIDGE
JOHN G. DIUGUID
MRS. NORRIS HARRIS
HENRY M. KELLY
JON HARLAN LIVEZEY
FREEMAN E. MORGAN, JR.
MISS ELLA ROWE
MILTON RUBINCAM
DR. MICHAEL TEPPER
DR. JOHN WALTON
GEORGE B. WILSON

Committee on the Library

CURTIS CARROLL DAVIS, *Chairman*
RALPH L. DEGROFF, *Vice Chairman*

ROBERT W. BLACK
ARTHUR J. GUTMAN
EDGAR G. HEYL
LESTER S. LEVY
JOHN A. PENTZ
A. RUSSELL SLAGLE

DR. HUNTINGTON WILLIAMS *(Honorary)*

Committee on the Maritime Collection

HELEN DELICH BENTLEY, *Chairman*
NORMAN A. RUKERT, *Vice Chairman*

LEWIS A. BECK, JR.
HUGH BENET, JR.
DONALD W. CARROLL, SR.
RANDOLPH W. CHALFANT
S. VANNORT CHAPMAN
DR. FERDINAND E. CHATARD
JOHN GOLDSBOROUGH EARLE
MRS. VERA RUTH FILBY
WILLIAM E. HILL
CHARLES A. MASSON
WILLIAM B. MATTHEWS, JR.
ROBERT E. MICHEL
ROLFE POTTBERG
GEORGE M. RADCLIFFE
J. DAWSON REEDER
PHILIP B. SCHNERING
MELBOURNE SMITH
ALBERT H. TROUT

L. BYRNE WATERMAN

Committee on Membership

MRS. BRYDEN BORDLEY HYDE, *Chairman*
MRS. W. WALLACE SYMINGTON, JR., *Vice Chairman*

JOSEPH ADDISON
MRS. WILBUR NELSON BAUMANN
MISS MARY HELEN CADWALADER
EDWIN WARFIELD GRAMKOW
LOUIS G. HECHT
JOHN P. PACA
D. WORTHINGTON PEARRE
DR. THOMAS G. PULLEN, JR.
W. CAMERON SLACK
ANDREW J. YOUNG

Committee on Publications

CHARLES L. WAGANDT, II, *Chairman*
T. ROLAND SLINGLUFF, JR., *Vice Chairman*

DR. JOHN B. BOLES
JAMES H. BREADY
DR. RHODA M. DORSEY
DR. JACK PHILIP GREENE
DR. CHESTER W. GREGORY
WILBUR H. HUNTER, JR.
MRS. ALEXANDRA LEE LEVIN
DR. EDWARD C. PAPENFUSE
DR. BENJAMIN QUARLES
DR. MORRIS L. RADOFF
DR. WALTER RUNDELL, JR.
ARTHUR W. SHERWOOD

DR. THOMAS B. TURNER

Committee on Public Relations

MRS. CALHOUN BOND, *Chairman*
ARTHUR J. GUTMAN, *Vice Chairman*

FRANCIS D. BURKE
DR. MICHAEL JOYCE

Committee on Special Projects

JAMES W. CONSTABLE, *Chairman*
THOMAS W. BURDETTE, *Vice Chairman*

THOMAS H. G. BAILLIERE, JR.
F. CARTER BIRELY
HON. JOHN P. CORDERMAN
MISS CAROLE S. DEMILIO
RICHARD C. GRANVILLE
MRS. HELEN P. HOUSE
PETER JAY, JR.
VERNON MILLER
BENJAMIN S. SCHAPIRO

Women's Committee

MRS. ALLAN J. MEAD, *Chairman*
MRS. WILLIAM G. KOUWENHOVEN, *Vice Chairman*

MRS. JOSEPH D. BECKLEY
MRS. MARCUS M. BERNSTEIN, JR.
MISS MARTHA BOKEL
MRS. CALHOUN BOND
MRS. KENNETH A. BOURNE
MRS. WALTER B. BUCK
MRS. JAMES CANTLER
MRS. CHARLES W. COLE, JR.
MRS. WILLIAM PAGE DAME
MRS. CURTIS CARROLL DAVIS
MRS. EDWARD K. DUNN*
MRS. GERSON G. EISENBERG
MRS. W. T. DIXON GIBBS
MRS. ELIZABETH W. GLASCOCK
MRS. BRYDEN BORDLEY HYDE
MRS. JOHN S. KERNS, JR.
MRS. HENRY F. LEBRUN
MRS. SAMUEL S. MERRICK
MRS. NICHOLAS B. MERRYMAN OF J*
MRS. CLARENCE W. MILES*
MRS. B. FRANK NEWCOMER*
MISS ELISABETH C. G. PACKARD
MRS. RICHARD C. RIGGS
MRS. JOHN W. SAUSE, JR.
MRS. TRUMAN T. SEMANS
MRS. J. NICHOLAS SHRIVER, JR.*
MRS. PAUL P. SWETT, JR.
MRS. W. WALLACE SYMINGTON, JR.

* *Associate Member*

****

P. WILLIAM FILBY, *Director*
MRS. ROMAINE STEC SOMERVILLE, *Assistant Director/Chief Curator*
WALTER J. SKAYHAN, III, *Assistant Director for Administration*

Honorary Members
THE EARL OF AVON
SIR JOHN EDEN, BT., M.P.

C. WILLIAM SCHNEIDEREITH, SR. (1886–1976)

C. William (Bill) Schneidereith, Sr., died on September 3, 1976, just before his 90th birthday, and only a week after he had returned from Germany, having taken his family there as a celebration.

Bill first worked for Schneidereith & Sons shortly before the turn of the century, and it was soon after he "retired" from his firm that his love affair with the Society started. From 1966 until his death Bill was the Society's printer, and for a decade it has been a distinguished period for the Society and its publications.

Bill's first job for the Society was *Manuscript Collections of the Maryland Historical Society* in 1968, and this was followed by *Star-Spangled Books* (1972), *I Didn't Know That* (1973), *History of Maryland* (1974), *Maryland Historical Prints* (1975), and, finally, *Maryland Heritage* (1976). All show care, and none has any typographical errors, since Bill always regarded it as his job to see that the galleys and page proofs were read before delivery to the Society.

But the bare mention of his work for the Society fails to record what his presence meant to the writers and the staff. Each stage of the work was an education for those who worked with him, and no facet of printing was too much for him to explain in detail. It was usual for Bill to spend Saturday mornings with me and the late Edward Howard, arguing over the finer points of *Star-Spangled Books;* Ed, a stickler for detail also, generally lost the argument, but the final work justified the many hours of debate. One other merit Bill displayed was his fearless criticism of the text; he read and marked each page, and not until he was satisfied that the grammar and syntax were accurate would he consign to the printer.

Bill was a member of the Library Committee and typographic adviser for some years, and it was not unusual for him to undertake the difficult task of discussing the typography of other printers of Society publications. It is to his credit that others admired his knowledge and accepted his advice.

During the work on *Star-Spangled Books,* the book he liked most, Ed and I considered the question of whether Samuel Sands, a boy of 14, could have set the broadside of "The Star-Spangled Banner." Could a boy have produced such a good piece of typography when only 14? "Ed," Bill replied, "I could have done it at 12; we started early in those days."

C. William Schneidereith, printer of character and friend of the Maryland Historical Society, will be sorely missed.

P. William Filby

THE EDITOR'S PAGE

This issue completes two years of my editorship, and perhaps it is again appropriate to say something about what we publish. Nineteen seventy-six, of course, has been an unusual year, resulting in two special, expanded issues of the *MHM* which focused respectively on the Revolution and Baltimore. That gave us only two normal issues within which we tried to publish as wide a variety of history as possible. Now as to actual content, every editor faces one irrefutable problem: he can only publish from among what is submitted. He can advertise for, solicit, even beg for articles from a broad range of authors on neglected, interesting, provocative aspects of Maryland history. But if those hoped for essays do not materialize, they can not be published—a very simple fact, yet one often overlooked. Every editor then has to choose what to print from among the articles at hand, keeping in mind chronological and topical diversity. Authorship is irrelevant; quality determines the choice. We want our "popular" articles to be well written, to be based upon sound research or vivid personal experience, to offer the reader not idle gossip or dinner table conversation but a fresh window into a portion of our past. We expect our "scholarly" articles to be indeed scholarly, but equally important, interesting and written with clarity and style. One latent criticism that now and then erupts to the surface is the view that we publish too many "academic" articles. There are several reasons explaining why persons with academic affiliation author more than their statistical share of articles. Obviously, they are trained to do research and write, they are expected to do so, and their schedules allow them time to produce. Consequently, they submit the huge majority of the articles we receive, and again, an editor must ultimately publish from what is available. But this raises another issue: What are the purposes of the *Maryland Historical Magazine*? Clearly,the *MHM* strives to provide its readers with a panorama of historical research, both esoteric and popular, to parade the continuing march of books being published, to inform and stimulate the members of the Maryland Historical Society. That does not mean every member will read and enjoy every article—our audience is too broad. Yet if Maryland history is to remain vital and dynamic, it must have an outlet for detailed scholarship as well as popularized presentations—in fact, the latter grows out of and is built on the first. There are other publications which specialize in Maryland genealogy, and in light and enjoyable essays for a mass audience. We do print such articles when we have good ones, but our primary purpose is to preserve and communicate the ongoing *discovery* of our state's past. That will not always suit the largest popular audience. But, for example, neither does the Society's priceless collection of rare books and manuscripts benefit or even interest all of our members. And no one would suggest that we sell them in order to purchase more widely read "best sellers." We seek variety in the *MHM* because we have a broad purpose and a diverse readership. Your suggestions are welcome, but even more desired are good solid essays, skillfully written, that illuminate Maryland's colorful history.

JOHN B. BOLES

Maryland's Fear of Insurrection at the Time of Braddock's Defeat

MARK J. STEGMAIER

THE BRITISH FORCES UNDER GENERAL EDWARD BRADDOCK HAD BEEN ROUTED BY the French at Fort Duquesne on July 9, 1755, and Marylanders were daily expecting an invasion of the colony. The proprietary governor of Maryland, Horatio Sharpe, wrote Cecelius Calvert, Secretary for the Province of Maryland, to inform Calvert of his actions upon receiving the tragic news of Braddock's defeat: "I have called the Gent[n] of the Council to take their Advice & writ Circulatory Letters to have the Slaves, Convicts &c well observed & watched & given Orders for the Militia of the several C[ties] to be prepared to quell it in case any Insurrection should be occasioned by this Stroke. . . . "[1] This passage alone strongly suggests that the leaders and populace of the province feared not only an attack by the French and Indians, but also a servile insurrection by black and mulatto slaves, the convicts sent to the colony from England, and perhaps even other white servants. In addition many people were certain and many others suspected that the Catholics in Maryland were busily fomenting the servile revolt.

Certainly Maryland's fears in 1755 were not unique. In all the southern colonies there was a constant dread of insurrection, and periodically this underlying uneasiness was heightened into panic by reports of real or imaginary plots and other mysterious activities. As Winthrop Jordan has said: "Only the blind could be free from fear, a chilling fear which even the rhythmic tedium of daily life could never entirely smother."[2] But Maryland's apprehension at the time of Braddock's defeat, like scares in other places and at other times, has its own history, and this article will endeavor to explore that history. It is necessary to caution the reader from the beginning that *direct* documentation of the fear of insurrection is meager. Much evidence has not survived since the 1750s. However, there is a great deal of circumstantial evidence in existing records, and it is largely upon that body of indirect documentation that this article is based.

Historians who have treated the French and Indian War in Maryland have been content to mention only occasionally and briefly the fear of revolt in 1755; they have not investigated this fear in any detail.[3] They have, instead, concen-

Dr. Mark J. Stegmaier is an assistant professor of history at Cameron University, Lawton, Oklahoma, and a native of Cumberland, Maryland.

1. Sharpe to Calvert, July 15, 1755, *Archives of Maryland*, ed. by William Hand Browne, 68 vols. (Baltimore, 1888–), 6:251.

2. Winthrop D. Jordan, *White Over Black: American Attitudes Toward the Negro, 1550–1812* (Chapel Hill, 1968), p. 112.

3. See Arthur M. Schlesinger, "Maryland's Share in the Last Intercolonial War," *Maryland Historical Magazine* 7 (1912): 261; and Paul H. Giddens, "The French and Indian War in Maryland,

trated on the adverse and parsimonious attitude of the Maryland legislature toward granting appropriations or providing militia for the war effort, and on the role of Governor Sharpe in combatting the legislative assaults of the House of Delegates on proprietary authority as he tried to aid the British cause. What has gone unnoticed by historians is how Governor Sharpe effectively wielded the fear of insurrection as a weapon to keep the delegates from objecting to his efforts to defend the frontier in 1755.

The only historian who discussed to any extent Maryland's fear of a servile-Catholic rebellion during the French and Indian War was Jeffrey R. Brackett in his scholarly history of slavery, *The Negro in Maryland*.[4] Brackett pieced together a few sources concerning fear of revolt, including the letter from Governor Sharpe and some Council records, and told how the militia was alerted at the beginning of the French and Indian War to guard against insurrection, how this alert was repeated after Braddock's defeat, and how the governor ordered an investigation into rumored plots by Catholics and blacks soon thereafter. This account of the events that took place in 1755 is adequate as far as it goes.

However, not only in Brackett's book but also in the other secondary works which mention the subject, there is the implicit and false assumption that Maryland's heightened fear of insurrection, especially after Braddock's defeat, resulted solely from the turmoil of the war acting upon Maryland's underlying and ever-present dread of rebellion. In other words fear quickly turned into panic whenever some sort of social upheaval occurred, like a war. But was the fear of insurrection just an automatic response to a state of war? Was there no immediate, local catalytic agent to trigger the panic? In late 1739 and early 1740 during the War of Jenkins' Ear against Catholic Spain, Marylanders had exhibited great alarm toward slaves and Catholics, but in that case there was an immediate local cause for the hysteria—a reported conspiracy among the slaves of Prince George's County.[5] There also appears to have been a similar local catalyst to the scare in 1755, during the hostilities against Catholic France—an

1753–1756," *ibid.*, 30 (1935): 304. Some works which do not discuss fear of insurrection but which should be consulted for their illuminating treatment of the complex political situation in Maryland in the 1750s are Charles A. Barker, *The Background of the Revolution in Maryland* (New York, 1967; orig. ed. 1940); James M. High, "Reluctant Loyalist: Governor Horatio Sharpe of Maryland, 1753–1769," (Ph.D. diss., University of California, Los Angeles, 1951); and David C. Skaggs, *Roots of Maryland Democracy, 1753–1756* (Westport, Conn., 1973).

4. See Jeffrey R. Brackett, *The Negro in Maryland* (Baltimore, 1889), pp. 94–95. For a brief statement on the subject by another historian of slavery, see Herbert Aptheker, *American Negro Slave Revolts* (New York, 1938), p. 19.

5. During the reported conspiracy of 1739, rumors spread over the province like wildfire and grew more sensational as they traveled. The blacks originally were reported plotting simply to kill the whites and take over the county, but the version told by planter-politician Stephen Bordley in a letter added that the blacks planned to force select young white women to be their wives rather than kill them. One black was executed, several were imprisoned, every public official and magistrate in the province was alerted to watch out for any unusual activity or tumultuous slave meetings, and the militia commanders were alerted to quell any revolt. Catholics were implicated in the Prince George's County plot, but no substantiating evidence could be found. See Bordley to Harris, January 30, 1740, Bordley Letterbooks (Ms. 81), Maryland Historical Society, Baltimore [also quoted in Aubrey C. Land, ed., *Bases of Plantation Society* (Columbia, S.C., 1969), pp. 228–30]; *Archives of Maryland*, 28:188–92; *ibid.*, 40:457, 460, 485–86, 494; and Brackett, *Negro in Maryland*, pp. 93–94.

unusual accumulation between 1751 and 1755 of reported acts of violence by slaves and servants against freemen in Maryland, accentuated by one especially shocking murder just prior to Braddock's fateful campaign. The *Maryland Gazette,* the colony's only newspaper, disseminated accounts of these violent acts all over the province in its weekly issues, and these accounts enhanced the people's underlying fear.

Before launching into the story of the 1755 scare, it is imperative to provide some information on Maryland's basic fear of rebellion, without which the tension during and after Braddock's campaign would lack an important perspective. The ingredients of this substructure of apprehension were: 1) the relative size of the servile and Catholic elements in the population, and the weakness of the militia; 2) the oppression under which slaves and servants struggled, making them liable to revolt; and 3) the general identification of Catholics with subversion. The very size of the servile-Catholic population must have seemed ominous to Protestant freemen.[6] According to the census of 1755,[7] black and mulatto slave adults numbered 20,190; convict servants[8] from England numbered 1,893; and indentured white adults numbered 5,400. If Governor Sharpe's estimate is correct that Catholics comprised about one twelfth of the population,[9] then there were probably about 6,000 Catholic adults in Maryland, both freemen and servants. The lave and servant groups totaled 27,483. Add to this the Catholics who were not servants and the total probably approached 32,000. This was not much smaller than the free white adult population of 45,579, and it must be remembered that a few thousand of those freemen were Catholics.

If any large portion of the servile-Catholic population suddenly rebelled, the principal task in quelling the insurrection would fall to the militia, and this

---

6. There is only one statement I have found in either printed sources or in the manuscripts at the Maryland Historical Society which implies that Marylanders in the 1750s did actually view the size of the servile population, along with the Catholics, with a sense of forboding. In 1755 the magistrates of Prince George's County wrote about their fear of Catholics and "the Number of their Slaves" (*Archives of Maryland,* 31:246). It is certain that the feeling of dread was more widespread than this. Winthrop Jordan writes of "the critical importance of the numerical ratio of slaves to white men" in all the southern colonies (*White Over Black,* p. 106). There is also a statement in a letter by Governor Robert Dinwiddie of Virginia in 1756 which confirms this fear regarding the slaves in that neighboring colony. He stated: "Y's no. of Negroes alarms our People much . . . " (Dinwiddie to Loudoun, August 9, 1756, *Virginia Historical Society Collections,* "The Official Records of Robert Dinwiddie," ed. by R. A. Brock [Richmond, 1884], New Series, 4:474).

7. See "An Account of the Number of Souls in the Province of Maryland, in the Year 1755," *The Gentlemen's Magazine and Historical Chronicle,* 34 (1764): 261. The accuracy of the Census of 1755 is supported, in the case of the figures on convicts, by Abbot E. Smith, *Colonists in Bondage: White Servitude and Convict Labor in America* (Chapel Hill, 1947), p. 327.

8. By the 1750s almost all convicted felons being transported from England were coming into Maryland. Many people in the colony hated the fact that Maryland was still a receptacle for England's undesirables, but British authorities forced Maryland to continue taking them. People feared the criminal tendencies of the felons, but many planters made handsome profits from the convicts' labor (Basil Sollers, "Transported Convict Laborers in Maryland During the Colonial Period," *Maryland Historical Magazine,* 2 (1907): 17–47). Maryland had even acquired a reputation for being somewhat of a penal colony by the 1750s, and in 1755 a British magazine article reprinted in the *Maryland Gazette* distinguished Maryland from the other colonies chiefly by its greater use of convicts (*Maryland Gazette,* May 22, 1755). Later, in 1767, an opponent of convict servants claimed in the *Gazette* that being forced to accept the convicts into the province was Maryland's chief grievance against England (*ibid.,* August 20, 1767).

9. Sharpe to J. Sharpe, October 10, 1756, *Archives of Maryland,* 6:497.

force was inadequate to meet any sizable adversary. In 1756, in a statement not made in relation to fear of insurrection, Governor Sharpe informed the Lords of Trade about this state of affairs:

> The Militia of this Colony are near 16500, One third of whom at least are entirely destitute of Arms & many of the Guns that are the property of the Rest are very bad & scarcely fit for use. For want of a proper Militia Law . . . the people are undiciplined as well as badly armed & cannot be compelled to serve in Defense of the Country. . . . I apprehend about 26000 . . . are able to bear Arms, but all Civil Officers & persons of particular Trades or Callings being exempted by Law, convicted servants incapacitated & Roman Catholicks excluded or excused by Custom the Militia does not exceed the number abovementioned.[10]

Under these circumstances a general insurrection would have been extremely difficult to put down.

In regard to the oppressive conditions under which slaves and servants often suffered, the *Maryland Gazette* is very informative. Nearly all death notices in the newspaper mentioned how kindly the deceased masters had acted toward their bondsmen, but a close reading of the *Gazette* from 1745 to 1765 gives a different picture of the situation. The greatest candor was exhibited in the notices for runaway slaves and servants at the end of each weekly issue.[11] The masters who advertised gave as full and accurate description of the runaways as they could, down to the various scars, deformities, and missing limbs. It is probable that not all the physical defects listed were the direct result of mistreatment in servitude, but these defects were so common in the descriptions that many of them were certainly related to servile working conditions and punishment by overseers. Occasionally, an advertisement would mention that a fugitive servant was wearing an iron collar when he absconded.[12] In some instances a black or white runaway would be described as having lash marks on his body.[13]

Besides their descriptive value, runaway advertisements provide concrete evidence that slaves were much less likely to run away than white servants. In each of the years 1745, 1751, and 1755 less than ten slaves were advertised as runaways in the *Maryland Gazette,* while at least three times as many white servants in each of those three years were reported as fugitives.[14] A black's skin

10. Sharpe to Lords of Trade, February 8, 1756, *ibid.*, p. 353.

11. For extensive analysis of runaway advertisements by historians, see Gerald W. Mullin, *Flight and Rebellion: Slave Resistance in Eighteenth-Century Virginia* (New York, 1972); and Peter H. Wood, *Black Majority: Negroes in Colonial South Carolina from 1670 through the Stono Rebellion* (New York, 1974), pp. 238–68.

12. For examples of indentured servants so attired, see *Maryland Gazette,* July 5, 1745, and January 3, 1754.

13. For examples see *ibid.,* September 3, 1745; May 20 and June 17, 1746; and May 22, 1749.

14. Out of 43 reported fugitives in 1745, 9 (21 percent) were slaves, 2 (5 percent) were convicts, and 32 (74 percent) were indentured servants; of 39 reported fugitives in 1751, 9 (23 percent) were slaves, 14 (36 percent) were convicts, and 16 (41 percent) were indentured servants; and of 70 reported fugitives in 1755, 7 (10 percent) were slaves, 13 (19 percent) were convicts, and 50 (71 percent) were indentured servants. The very high figure for indentured servants in 1755 is probably due to General Braddock's attempts to enlist servants in his expeditionary force that year. What percentage of runaways were reported in the *Maryland Gazette* is uncertain. Many were certainly not reported. As Peter Wood has stated in regard to South Carolina slave advertise-

color branded him automatically and made it extremely likely that he would be captured. Without much chance of successfully running away, the slave became much more likely to seek a violent solution to his problems and indeed slaves were responsible for most of the reported servile crime. Convict and indentured servants ran away more often than blacks because their chances for successfully losing themselves among the white population were immeasurably greater, even though many were captured.

Apart from the notices for runaways, other *Gazette* items revealed the atrocities that were frequently a part of servile conditions. An advertisement in a 1745 issue praised the miraculous cures effected by a new medicine, stating that one such cure involved a slave in Virginia who had contracted cancer after having his foot burned by his master over a three-year period.[15] The point is that Marylanders who read the ad were supposed to be impressed by the cure, not shocked by the torture of the slave. In 1747 the paper bore witness to the frequent maltreatment of servants after one of them committed suicide: " . . . the Coroner gave a Charge to the Inquest, setting forth the too often rigorous Usage and Ill treatment of Masters to Servants, whereby it very often happened, that such Ill usage was the the Cause of many Servants making an end of themselves one way or another."[16] In 1761, after reporting that an overseer had beaten a young black to death, the *Gazette* disclosed the guilt that many Marylanders must have felt over their labor system: "What a pity it is, that INHUMANITY should be a necessary ingredient in the composition of a GOOD OVERSEER!"[17] It is difficult to discern in the *Gazette* any difference in treatment between white servants and black slaves; they seem to have endured equal cruelty.[18] Marylanders were well aware of this cruelty and the possibility that a rebellion could take place against it.

---

ments: "In the first place, the time lag which often existed between date of disappearance and date of advertisement suggests that newspaper notices were only a last resort. Many slaves must have been caught before any ad was necessary, and others . . . returned from short absences on their own initiative. Some slaves may have escaped so completely that advertising seemed futile. Nor could all masters afford to advertise in the [*South Carolina*] *Gazette*, and one would expect a bias within the notices toward owners who were wealthy town-dwellers and toward slaves who were highly valued" (*Black Majority*, p. 240).

15. *Maryland Gazette*, September 13, 1745.

16. *Ibid.*, August 4, 1747.

17. *Ibid.*, March 26, 1761.

18. This judgment is supported by the later graphic analysis of servile labor in Maryland written in 1770 by William Eddis, a customs official at Annapolis. He observed that slaves, being property for life, were better treated than white convict servants. The master lost capital if a strong young slave died. But he only had the services of convicts for a period of years, usually seven, and worked them as hard as he could, not caring if the convicts survived past their term of indenture. Eddis implies that many did not survive, and he says that other white servants, usually indentured for five years, suffered just as harshly (William Eddis, *Letters From America*, ed. Aubrey C. Land [Cambridge, 1969], pp. 36, 38, 40). Reverend Jonathan Boucher, the famous Tory, wrote to British officials in 1755 recommending that British forces arm the slaves and servants if the colonies rebelled, stating that Maryland's white servants were slaves to all intents and purposes for the period of their indenture (Boucher to Knox, November 27, 1775, "Letters of Reverend Jonathan Boucher," *Maryland Historical Magazine*, 8 [1913]: 251). Abbot E. Smith has shown that laws regarding servants in Maryland, especially those for the punishment of runaways and people who harbored them, were much more stringent than similar laws in neighboring colonies (*Colonists in Bondage*, pp. 276–77). See also the similar treatment of white servitude by Richard Hofstadter in *America at 1750; A Social Portrait* (New York, 1971), chap. 11.

And then there were always those subversive Catholics, waiting for their chance to lead the slaves in revolt or to otherwise aid whatever Catholic nation Britain happened to be warring with at the time. Despite the fact that Maryland's Catholics did not engage in such heinous activities, the Protestants still feared them and legally treated Catholics as second-class citizens by, for instance, double-taxing them to support the established church and the French and Indian War. But Protestants were not fearful of Catholics simply because of their historic antipathy toward them. Maryland Protestants in the 1750s had their normal Catholic-phobia heightened by certain facts which made Catholics appear positively dangerous. In the late 1740s many former Jacobite rebels had been transported to the province,[19] and what assurance did Protestants have that these men would not take up the cause of the "Pretender" once more, this time in alliance with France? And what Protestant in Maryland could feel secure when in their midst were Catholic French settlers from Nova Scotia, transported to the colony in 1755 by the British?[20] And what about those Catholic parents who sent their sons off to St. Omer's in England to imbibe the "pernicious" doctrines of the Jesuits?[21] These Catholics could hardly seem loyal subjects of the King of England to Maryland Protestants of the 1750s.

Given the substructure of apprehension already present in Maryland, the story of the 1755 scare becomes more intelligible. In reading the *Maryland Gazette* from 1745 to 1765, one is struck by the frequency of reported servile violence against freemen from 1751 to 1755 as opposed to other years in that period. That accumulation of reported crimes, climaxed by the murder of a prominent lawyer and member of the House of Delegates, appears as probably the most important factor in explaining why Marylanders were fearful of an insurrection in 1755.[22]

The *Gazette* seems to have reported every titillating act of violence in the province. Even if a crime was not reported when it occurred, the paper was still

---

19. On the Jacobite rebels, see "Narrative of Alexander Stewart," *Maryland Historical Magazine*, 1 (1906): 349–52.

20. Fear of these "French Neutralls" from Nova Scotia is evident in the Militia Bill of 1756 which failed to pass in the Assembly. These people, along with other Catholics and the slaves, were to be punished if caught at a militia training site (*Archives of Maryland*, 52:460).

21. See "An Act to prevent the Growth of Popery in this Province," a bill which failed to pass the Assembly in 1756 and which expressed Protestant fear of Catholics being educated abroad, printed in *ibid.*, pp. 441–49.

22. There is no direct evidence that the *Maryland Gazette* accounts of crime had such an effect on people. However, I believe these newspaper reports did inspire fear in their readers. That colonial press accounts of crime did frighten people is obvious from a statement in the *Pennsylvania Gazette* of April 11, 1751: "When we see our Papers fill'd continually with Accounts of the most audacious Robberies, the most cruel Murders, and infinite other Villanies perpetrated by Convicts transported from Europe, what melancholly, what terrible Reflections must it occasion!" Actually this statement seems to have been based on only the four incidents reported in that issue of the *Pennsylvania Gazette*—a murder and a robbery by convicts in Pennsylvania, the takeover of a ship by convicts near the Carolinas, and a threat by a Maryland convict to kill his master's wife with an axe (*Pennsylvania Gazette*, April 11, 1751). Circulation figures for the *Maryland Gazette* give no real clue to the paper's influence. According to a 1747 letter by the editor, less than 600 copies of the *Maryland Gazette* were printed each week (Lawrence C. Wroth, *A History of Printing in Colonial Maryland, 1686-1776*, [Baltimore, 1922], p. 83). Unfortunately the circulation figures do not tell how many persons read various copies of the *Gazette* nor how many persons heard of *Gazette* news items from those who read that paper. It is safe to assume that the *Maryland Gazette*, being the only newspaper printed in the colony, enjoyed a very wide influence within Maryland.

certain to mention it later when the Council handed down pardons or death warrants for major offenders. Studying these newspaper reports tells us not only what kind of news Marylanders were reading, but also gives us the most complete and accurate account of servile crime in existence. Council proceedings give more information on servile crime, but the *Gazette* has much more detail on those crimes. Also the *Gazette* printed accounts of crimes assumed to have been committed by servants or slaves but for which no one ostensibly was convicted and of crimes where the felon was killed in the process. No record of these appears in Council proceedings. Lower court records would be helpful, but most slaves and servants accused of serious crime were tried at Special Courts of Oyer and Terminer and the records of these courts have not been preserved.

Gazette accounts nevertheless are not completely accurate. Occasionally a slave would be tried at a regular county court and the trial record can be compared to the *Gazette* accounts. One such case occurred in 1751. The newspaper of July 3, 1751, reported that a black slave burglarized a building and stabbed someone who pursued him. The paper also reported that he had been captured and was in jail awaiting trial at the next session of the Queen Anne County Court.[23] He was brought to trial for burglary on August 27, 1751, in Queen Anne County, but it is interesting to note that in the trial record there is no evidence that the slave stabbed anyone during the burglary.[24] Here is a case where the person who gave the story to the *Gazette* apparently spiced up his account with a little violence. Just how often the *Gazette* accounts of crime included factual error is impossible to measure, but, judging from the inclusion in the newspaper of all the crimes for which the Council either issued a pardon or death warrant, the *Maryland Gazette* appears to have given a generally accurate portrayal of servile crime.

The accompanying table traces the incidence in Maryland of violent crimes[25]

Year	Reported Crimes*	Year	Reported Crimes	Year	Reported Crimes
1745	1	1752	1	1759	0
1746	1	1753	3	1760	0
1747	1	1754	6	1761	2
1748	1	1755	6	1762	2
1749	4	1756	2	1763	1
1750	1	1757	1	1764	3
1751	7	1758	0	1765	1

*See appendix for description and tabulation of actual crimes.

23. *Maryland Gazette*, July 3, 1751.
24. See Queen Anne County Circuit Court, Criminal Judgments, 1751–1753, accession no. 8847, Maryland Hall of Records, Annapolis, The slave was condemned to be executed.
25. Crime, murder, arson, and such terms are here used in their legal sense, as acts against the established laws of the province. Their usage in this article is not meant to imply a moral judgment on the actions of servants and slaves.

(murder, arson, rape, assault) and conspiracy on the part of bondsmen to revolt as reported in the *Gazette* between 1745 and 1765. Not included in the table are crimes that involved no physical violence or threat thereof, such as robbery and horsestealing. From a frequency of one crime per year between 1745 and 1748, violent crimes by slaves and servants rose sharply to four in 1749 and seven in 1751. Between 1753 and 1755, fifteen reported acts of violence were committed by bondsmen. After 1755 the number of crimes dropped considerably.

There is an added dimension to the reported crime increase between 1751 and 1755 which is most significant; in over half the crimes between 1751 and 1755, i.e., in 12 out of 23 incidents, the reported act was committed by two or more servants or slaves acting together. All reported acts of servile violence from 1745 to 1750 and from 1756 to 1765 were perpetrated by individual servants or slaves, except for a report in 1761 concerning a crime committed several years earlier. Marylanders feared rebelliousness by individual bondsmen, but crimes committed by more than one person probably intensified their fears of insurrection. The foundation for any widespread revolt would be communication and conspiracy among members of the servile class, and violence by two or more of these persons acting in conjunction revealed just the kind of plotting which, to a freeman, might signify the beginning of a general insurrection.

The reported crimes may seem too few, even in peak years, to engender much alarm among the populace. But the *Gazette* intensified the significance of each incident by carrying accounts of it for several issues, sometimes three or four; the newspaper would follow cases from the crimes themselves through the trials of the offenders to their executions. Besides constantly reminding its readers of each crime, the *Gazette* also described some of them in graphic terms a reader could not easily forget. A case in point is this description of how a convict servant in 1751 threatened his master's wife:

> . . . a Convict Servant, about three Weeks since, went into his Master's House, with an Axe in his Hand, determined to kill his Mistress, but changing his purpose on seeing, as he express'd it, how d—d innocent she look'd, he laid his Hand on a Block, cut it off, and threw it at her, saying, Now make me work if you can.[26]

This incident formed part of a chain of events in 1751 which neatly demonstrated the cause-and-effect relationship which could exist between reported servile violence and public reaction. Accounts in the *Gazette* of a series of murders and burglaries by convict servants were followed by public outcries in both Pennsylvania and Maryland. The *Pennsylvania Gazette* for May 9, 1751, plastered in unusually large print the recent "Annapolis" columns from the *Maryland Gazette* over most of the front page, and those columns were dominated by accounts of convict violence. It was highly unusual for colonial news to make the front page of a *Gazette,* but this was only a prelude to what followed on the next page—Benjamin Franklin's sarcastic article suggesting that the colonies, in fair exchange for the convicts, should transport rattlesnakes to England. Even then, Franklin stated, Britain would still retain a trade advantage be-

26. *Maryland Gazette,* April 17, 1751. The *Gazette* later reported that the convict, "who lately in a fit of Laziness cut off his Hand," had run north into Pennsylvania but had died when his hand "mortify'd" (*ibid.*, May 1, 1751).

cause, unlike the convicts—"Human Serpents"—"the Rattle-Snake gives Warning before he attempts his Mischief; which the Convict does not." Soon after this article appeared, the Pennsylvania legislature drew up a bill to prohibit convict servants from being transported to the province.[27]

The Maryland legislature took up the convict issue in the spring of 1751 and passed a law which made convicts' testimony valid against each other in court. The preamble to this law stated the fears of the province over the recent violence: "Whereas Murders, Burglaries, and other Felonies and Offences have been so frequent of late, that the Lives and Properties of his Majesty's Subjects within this Province are become precarious; which Offences have been generally committed by the Convicts imported into this Province. . . ."[28] In August county magistrates in Baltimore and Anne Arundel counties took action to hinder the importation of new convicts, passing orders which required that £50 be given as security for every convict imported therafter. In Anne Arundel the felons were to be incarcerated until such security was paid.[29] The *Maryland Gazette* lauded these government actions: "Such Orders, and the late Act of Assembly making one Convict's Oath good Evidence against another, will in all probability . . . prevent the Sale of People sent hither for the 'Better Peopling' of the Colonies."[30] The *Gazette*'s enthusiasm, however, proved premature; the county orders were disallowed by the Provincial Court in October.[31]

Besides the reports of convict unrest in Maryland in 1751, there was also worry over the slaves. In the early months of the year some blacks were reported by the *Gazette* to be involved in cases of stabbing, rape, and arson. These incidents caused the legislature in June 1751 to pass a supplement to the colony's slave code designed "for the more effectual Punishment" of slaves. The preamble to the law stated the cause-and-effect relationship between crimes and this law: "Whereas the Laws in Force for the Punishment of Slaves are found insufficient to prevent their committing very great Crimes and Disorders, and that a further Provision is necessary to keep them in proper Bounds and due Order, . . . "[32]

With 1753 came warnings of imminent hostilities on the western borders of Maryland, Pennsylvania, and Virginia. Trouble was brewing over the French presence on the Ohio River and their inciting of the Indians. But while the *Gazette* reported all these activities, its accounts of trouble among the labor force of the province must have also worried Maryland planters. In January, according to the newspaper, a slave attempted to kill his master for striking him.[33] A more serious incident happened in April; the *Gazette* carried an account of a conspiracy among Somerset County slaves to "destroy the principal Families in

27. *Pennsylvania Gazette,* May 9, 1751; and Carl Van Doren, *Benjamin Franklin* (New York, 1938), pp. 201–2. Van Doren says this was Franklin's earliest warning to the British government about their treatment of the colonies.
28. *Archives of Maryland,* 46:616.
29. *Maryland Gazette,* August 21, 1751.
30. *Ibid.*
31. *Ibid.,* October 16, 1751.
32. *Archives of Maryland,* 46:618. The law specified various crimes and penalties and the method for trial of a slave.
33. *Maryland Gazette,* January 25, 1753.

that County." This conspiracy, however, unlike that of 1739, created little commotion, probably because it occurred at the southern tip of Maryland's Eastern Shore; there was little chance for any revolt to spread to other counties from this place, while in 1739 the plot had appeared in more centrally located Prince George's County. The matter was quickly handled by local authorities; one black was executed and a free mulatto was whipped and pilloried.[34] In November and December the *Gazette* luridly reported the gory murder, burning, and dismemberment of an overseer by two blacks in nearby Accomack County, Virginia.[35]

Colonel George Washington's defeat by the French at Fort Necessity in July 1754 marked the beginning of warfare in America between England and France. But along with weekly dispatches about frontier skirmishes, Marylanders read in the *Gazette* about violence closer to home. On February 21 the newspaper reported that two dwellings of a Maryland politician, Turner Wootton, had been deliberately burned down in Queen Anne's County by men in his plantation "prison" and that another house in the vicinity was assumed to have been set afire by slave women.[36] In March two white servants and a mulatto slew their master and attempted to escape in his ship, but the fugitives were captured in June after a hot pursuit.[37] A bloody story from St. Mary's County appeared in the April and May issues of the *Gazette*. A mulatto had brutally murdered a young white widow and later cut up a young white girl with a penknife. He was tried and executed for rape and murder.[38] The *Gazette* reported in June that two black slaves had been condemned in Anne Arundel County for assaulting, kidnapping, and robbing a white man and woman.[39] This was followed in September by an account of the bloody murder of "a kind master" by a slave, who smashed his owner's skull with a hammer and then terrorized another family in Dorchester County until he was killed.[40]

Also in September 1754 rumors started spreading about strange activities by the Catholics. The Council on September 10 received a letter from citizens of Cecil County, dated September 5, which stated that they were worried because of reports the "Jesuits and Roman Catholicks" were storing up quantities of arms. Two mysterious vessels had supposedly unloaded weapons at the estate of the "Jesuits" in April or May, and about the same time "a very intelligent Negro Boy" spotted a "Mullatto Fellow" driving a hay wagon with the bright muzzles of firearms clearly visible in the hay. Various suspicious French characters who were friends of the priests were reported in the area too. The Council ordered that any such arms actually found should be seized. Later, on March 3, 1755, the council ordered that if any opposition arose to seizure of the weapons, then the magistrates could use the militia of Cecil County to seize the arms.[41] Apparently nothing concrete ever turned up and the matter was soon dropped.

---

34. *Ibid.*, April 26 and June 7, 1753.
35. *Ibid.*, November 29 and December 13, 1753.
36. *Ibid.*, February 21, 1754.
37. *Ibid.*, March 28 and June 20, 1754.
38. *Ibid.*, April 4, April 25, and May 9, 1754.
39. *Ibid.*, June 20, 1754.
40. *Ibid.*, September 5, 1754.
41. *Archives of Maryland*, 31:47–49, 54.

General Braddock arrived in the colonies in 1755. He had come with the hope that he would be able to dislodge the French from Fort Duquesne, and, before he could march off to meet his fatal destiny, Braddock managed to further strain the uneasy relations between Maryland's planters and their servants. Marylanders not only refused to honor the general's requisitions for horses, wagons, and other items, but they also did not react very favorably to his recruiting officers when they asked for men to join up with the great expedition. So the enraged Braddock resorted to cruder methods of getting men and supplies; he simply impressed what horses and wagons he needed and ordered that servants be recruited. The servants flocked to join up with Braddock, feeling that army life would be somewhat of a relief from the drudgery of their indentured servitude. Marylanders, including Governor Sharpe, who had advised Braddock not to recruit servants, were absolutely incensed by this measure. People complained to the governor but he could do nothing.[42] Many planters undoubtedly restrained their servants by force, which could only have made the servants' still less content with their lot.

These tensions, however, seemed small compared with the fear generated by servile violence in 1755. Early in February three convicts broke into and robbed two houses, and threatened a man's life before escaping.[43] Two weeks later the *Gazette* reported the killing of an overseer by a slave, and in March it told of his conviction and execution for the crime.[44] On April 10, 1755, the newspaper casually reported the death of young Jeremiah Chase, a prominent lawyer and member of the House of Delegates from St. Mary's County. But just over a month later, on May 15, the *Gazette* presented a further report on Chase's death: a white servant named William Stratton and two slaves had been jailed on grave suspicion of having poisoned their master, and Stratton had reportedly already confessed to the crime.[45]

It is evident that the poisoning of Chase greatly affected his fellow delegates, although they remained silent about it. Governor Sharpe himself may or may not have been afraid of slave revolts, but in any case he saw how to use the Chase incident to political and military advantage. He wanted to have the militia prepared to defend the province in case the French and Indians made incursions into Maryland during Braddock's campaign.[46] But the governor also realized that the House of Delegates had no enthusiasm for incurring the expenses involved in using the militia to defend the frontier. The Militia Law, weak enough in general, especially favored the parsimonious delegates in this case. The Law of 1715 specified that the militia could be used only "for the suppressing of any foreign Invasion or domestic Insurrection or Rebellion, or any War with any Indians. . . ."[47] There was no invasion of the province yet, as the Lower House would be sure to remind the governor if he attempted to alert the militia on that pretense, and there was neither an Indian war nor an insurrection going on in Maryland at the time.

---

42. See Sharpe to J. Sharpe, May 24, 1755, *ibid.*, 6:211, for the governor's anger over this affair.
43. *Maryland Gazette,* February 13, 1755.
44. *Ibid.,* February 27, March 20, and March 27, 1755.
45. *Ibid.,* April 10 and May 15, 1755.
46. Sharpe to Dinwiddie, June 8, 1755, *Archives of Maryland,* 6:215.
47. Law reprinted in *Maryland Gazette,* June 3, 1756.

Yet while there was no raging insurrection in progress, the members of the Assembly were apparently afraid that one was brewing and that the fate of young Mr. Chase might be in store for them. Their fear is evidenced by the Lower House's not raising a whimper of an objection to Governor Sharpe's action in Council on May 29, 1755. On that day, only two weeks after Chase's poisoning had been reported by the *Gazette,* Sharpe presented the Council with a copy of the letter he had just sent to the colonels of the militia in Frederick and Baltimore counties.

> I desire you will have a general Review of the Militia of your County either together or separately, and that you will make me a particular Return thereof, specifying the several Officers Names, and the number of men in each Troop or Company; you will also acquaint me how they are furnished with Arms, and whether plenty of Ammunition can be procured on Occasion within your said County. In case of any rioting or caballing by Servants, Slaves, or others, you are to march with or order any Troops or Companies under your Command to quell them and Seize the Ringleaders, whom you shall keep in Custody till I can be advised thereof.[48]

Sharpe's real motives were apparent from the fact that to protect the province from servile uprising he alerted the militia in the two westernmost counties of Maryland, the counties that would have to repel any Indian attack. Besides this he directly stated his real intention of alerting the militia to protect the frontier in several of his personal letters.[49] Not until June 28, four days after death warrants had been issued for the slaves and servant who poisoned their master Jeremiah Chase, and for another black who had attempted to poison his master,[50] did Governor Sharpe send a message to the Lower House stating his real motive for alerting the militia. Such honesty was convenient for the governor at this time because the French and Indians had begun to stir up Maryland's anger by making sporadic attacks on the colony's western settlements; to pick a squabble with the governor over his use of the militia at that critical time might jeopardize the popularity of the delegates with an angry electorate. Beginning his message with a long recitation of recent atrocities committed by the French and Indians, Governor Sharpe informed the delegates of his action a month before:

> Apprehending the French would proceed in this Manner, . . . I sent peremptory Orders and Instructions to the Officers of the Militia of Frederick County, frequently to muster and discipline their several Troops and Companies once a Fortnight at least; and in case of an Alarm, that the Enemy was approaching, or had fallen on the Inhabitants, to march out and act either offensively or defensively, and use all Means to protect and defend the Inhabitants from the Devastations of the French, or their Indians; . . .[51]

48. *Archives of Maryland,* 31:68.
49. Sharpe to Dinwiddie, June 8, 1755, *ibid.,* 6:215; Sharpe to Morris, June 9, 1755, *ibid.,* p. 216; Sharpe to Calvert, June 10, 1755; *ibid.,* p. 219; and Sharpe to Baltimore, June 12, 1755, *ibid.,* p. 224. In this last letter he tells Lord Baltimore that he even told the militia to be prepared to defend Maryland against the French and Indians. In none of the letters does he mention slaves or servants.
50. For the death warrants, see *ibid.,* 31:69. The *Maryland Gazette* reported the issuance of these death warrants on June 26, 1755.
51. *Archives of Maryland,* 52:150.

Of course these were not exactly the orders given to the militia on May 29, but no one was about to argue the point with the governor.

The Lower House handled its fear of insurrection after Jeremiah Chase's death in a subtle manner. In their messages the delegates did not refer to Chase's poisoning, and only once did they refer to the fear of slave insurrection. It seems that they were exercising good discretion in remaining largely silent on the issue. In 1739 an uproar had erupted over a very evident slave plot, but in 1755 there was not anything so tangible as an open conspiracy. There had been crimes, rumors, and the murder of Chase, but all this still might just be coincidental. There might be a conspiracy, and the delegates feared such a thing, but they had to be sure that there was a real plot before creating a panic over it. To talk about an insurrection very much before the fact was established would be hazardous. If there turned out to be no real plot afoot, then too much talk would needlessly frighten the populace who were already panicky about the French. There was also the possibility that loud discussions of rebellion might actually bring one into being, even if it had not already begun.

The only time the House of Delegates mentioned its fear of slave revolt was in an address to Governor Sharpe made just a few days after he told them about the militia. This address is quite informative about Assembly opinion, and it was approved by an overwhelming vote of 41–6 on July 3, 1755.[52] Rather than direct their main discussion toward the slaves, the delegates' address was primarily a vicious attack on the Catholics, who were by themselves weak in numbers but who, according to the Lower House, would surely be the source of any unrest among the normally loyal slaves. The logic behind the address was simple: in order to secure Maryland against a feared insurrection, just make sure that the Catholics were penalized and kept under strict control and surveillance.

The address began, not surprisingly, with an open attack on the delegates' favorite target, Governor Sharpe. The Lower House accused the governor of encouraging "Popery" in Maryland, first by granting the Naval Office at Patuxent to Attorney General Henry Darnall and tolerating his brother John Darnall as a Judge—both of the Darnalls were reputed Catholics. Secondly, the governor, for pardoning some criminals who happened to be Catholics, was accused of increasing the "dangerous Influence of the Popish Faction."[53] All of the crimes involved were rather small matters involving no violence, but the Lower House still used these cases as evidence that Governor Sharpe was an agent of Catholic power in Maryland.

The latter part of the address contained its principal clauses. After citing Governor Sharpe's pardons of Catholic criminals, the House of Delegates stated:

> These Instances above mentioned, and the constant and unwearied Application of the Jesuits to proselyte, and consequently to corrupt and alienate, the Affections of our Slaves from us, and to hold them in Readiness to arm at a proper Time for our Destruction, together with every Consideration of Danger from a powerful Foreign Enemy, are Circumstances truly Alarming. . . .[54]

52. *Ibid.*, p. 160.
53. *Ibid.*, pp. 159–60.
54. *Ibid.*, p. 160.

Based on this, the delegates finished the address with a request that the governor immediately declare the most severe anti-Catholic penal statutes of England to be in force in Maryland. Governor Sharpe replied to the Lower House charges on July 8, saying that he was a loyal Protestant, that he had not known the religion of those he pardoned, that good Protestants had been foremost in requesting the reprieves for these few Catholics, and that the Darnalls were competent officials who conformed to the laws and were quite satisfactory to the governor. Sharpe also stated that the Lower House's request for the penal laws needed more serious consideration, but he implied that he might sign some bill to protect Maryland against the "Popish Faction."[55] The next day Sharpe wrote to Calvert saying that the Catholics were really well behaved and that he had refused to declare the penal laws in force because the courts, taking their cue from the Lower House, might use the laws to conduct "a fiery Persecution."[56]

July 9, 1755, was also the day on which General Braddock met his great defeat, but rumors of the disaster were not mentioned in the *Gazette* until July 17 and the full story was not published until the next issue on July 24. Several more issues carried accounts of the battle, with an emphasis on Catholic barbarity in the July 31 edition.[57] Governor Sharpe knew for certain about the defeat by July 15 and acted quickly. But his action indicated that he feared the people might not only be subject to an imminent invasion by the French and Indians, but also that they might panic over an expected insurrection. In his letter to Calvert on July 15, the governor suddenly began to take his original letter to the militia colonels seriously, and now expected the militia, in accordance with his order of May 29, to protect the colony against servile revolt.[58]

The free white majority, influenced by reports of servile violence in the past few years and by their own deep distrust of slaves, servants, and Catholics, reacted fearfully to the news of Braddock's defeat. By August tales of strange activities among slaves and Catholics began to terrify the province. Catholics were rumored to be jubilant over the French victory at Fort Duquesne, and a priest was reportedly seen on the frontier of Maryland dressed in the uniform of a French officer.[59] Reverend Thomas Chase, uncle of the recently poisoned Jeremiah Chase and one of the leading Anglican ministers in Maryland, was even preaching to his congregation at St. Paul's in Baltimore that the Protestants were on the eve of being massacred;[60] he did not exactly say the massacre was to be by Catholics and slaves, but that is undoubtedly what he meant to imply. Other rumors mentioned uproar among the slaves and priests reported mysteriously missing from their residences.[61]

In order to calm the populace and discover if there was any factual basis to the

55. *Ibid.*, pp. 189–91.
56. Sharpe to Calvert, July 9, 1755, *ibid.*, 6:240.
57. *Maryland Gazette,* July 17, July 24, and July 31, 1755.
58. Sharpe to Calvert, July 15, 1755, *Archives of Maryland,* 6:251.
59. The governor remembered these events a few years later (Sharpe to Baltimore, December 16, 1758, *ibid.*, 9:316–17).
60. *Ibid.* For the family relationship between Jeremiah and Thomas Chase, see Rosamond R. Beirne, "The Reverend Thomas Chase: Pugnacious Parson," *Maryland Historical Magazine,* 59 (1964): 10.
61. *Archives of Maryland,* 31:72.

rumors, the Council on August 15 ordered the magistrates of the several counties to conduct an investigation into the rumored activities. The letter to the magistrates began thus:

> It having been reported that there have been lately some tumultuous Meetings and Caballings among the Negroes in some parts of the Province & moreover that Persons of the Roman Catholick Persuasion have misbehaved in such a manner in some Counties as to give his Majesty's Loyal Subjects just Cause to fear an insurrection. . . .[62]

By October the Justices of the Peace had completed their investigation, and all but one of the counties reporting had found no signs of slaves or Catholics plotting a revolt. Some did not even know of any Catholic priests in their counties.[63] Only Prince George's County refused to acquit the slaves and Catholics of wrongdoing, although "no Person hath been yet accused before us."[64] The magistrates of Prince George's County possibly feared another rendition of the 1739 plot, which had broken out in their county. The year 1755 ended with only a few reported acts of servile violence; in October some blacks tried to poison a member of the prominent Key family and in November a convict tried to kill a man with an axe, according to the *Gazette*.[65]

The year 1756 brought a return to relative calm in Maryland after the French failed to invade the colony in force following Braddock's defeat. Beginning in 1756, criminal acts by bondsmen also fell off drastically, and in very few cases did they involve violence against freemen. The *Maryland Gazette* reported in 1756 that a servant had killed his master and that a mulatto had murdered a white man; in 1757 it reported that a black girl had poisoned her master.[66] There was tension on two separate occasions in 1756 over the issue of recruiting servants for military service. The servants again flocked to join up, just as they had done under Braddock, but this time the planters resorted to brute force to prevent servants from enlisting and roughed up many of the recruiters.[67] In 1756 the House of Delegates and Governor Sharpe continued their accusations and denials concerning the governor's attitude toward Catholics. But by the time the Assembly finally formulated a bill "to prevent the Growth of Popery" in Maryland, the original Lower House statement about the "Jesuits" influencing the slaves had been watered down to a statement about "Jesuit" influence "upon the Minds of thoughtless and ignorant Persons." Interest in the measure finally waned and the bill was not passed.[68] In November the Council heard testimony about some pro-French intrigue by a priest named Bennet Neal, but all of the charges proved groundless.[69]

---

62. *Ibid.*
63. *Ibid.*, pp. 80–81, 85–89.
64. *Ibid.*, pp. 245–46. Governor Sharpe later blamed their recalcitrance on the simple religious prejudice of the magistrates (Sharpe to Baltimore, December 16, 1758, *ibid.*, 9:316–17.
65. *Maryland Gazette,* October 9, November 27, and December 11, 1755.
66. *Ibid.*, January 8 and September 23, 1756, and March 10, 1757.
67. Sharpe to Shirley, February 2, 1756, *Archives of Maryland,* 6:342; Gardiner to Sharpe, August 15, 1756, *ibid.*, p. 461; Sharpe to Calvert, August 21, 1756, *ibid.*, p. 467; Sharpe to Morris, August 25, 1756, *ibid.*, p. 472; and Sharpe to Calvert, September 14, 1756, *ibid.*, p. 483.
68. *Ibid.*, 52:356–60, 381–90, 441–49.
69. *Ibid.*, 31:162, 165–73, 179.

While most Marylanders were not directly affected by the frontier skirmishing and depredations which were reported frequently in the press, there was still a good deal of alarm in the province about the French and Indians until 1758. Most of the action centered around Fort Cumberland in the western part of Maryland, which was the principal barrier between the populated areas of the colony and the French. A letter of Stephen Bordley in 1757 reflected the general concern over the ability of Fort Cumberland to hold out: "We are alarmed abt. a month past with an Intended Attack on fort Cumberland, when a very good Spirit shewed itself amongst our people; Tho' this alarm proved without foundation, we are in daily Expectation of such an Attempt."[70] By the end of 1758 British forces had recaptured Fort Duquesne, and Maryland's participation and interest in the French and Indian War dwindled as its sense of frontier security improved.

Despite rumors and crime reports, the Catholics, slaves, and servants had remained docile in Maryland throughout the conflict. But Braddock's defeat had coincided with the peak of a rising number of reported violent crimes by slaves and servants in the early 1750s to produce great fear of insurrection. What must remain largely a matter of speculation is why the rash of crimes should suddenly have appeared then. The unsettled conditions of those years in Maryland, with threats of war and war itself, may have convinced some slaves and servants that they could more easily escape punishment for crime amidst the confusion. And possibly the acts of servile violence subsided beginning in 1756 because bondsmen had failed to escape detection and punishment. The great majority of offenders were not only captured, brought to trial, and put to death, but their bodies were often also hung in chains as a deterrent to other slaves and servants who might be contemplating similar violence.[71] The Catholics in Maryland were never proven to be disloyal in the French and Indian War, and Protestant concern over them calmed down after the French threat to the province vanished. The colony simply endured a good scare in 1755, and that scare did not affect her small part in the war to any appreciable degree.

APPENDIX: MAJOR CRIMES REPORTED IN *Maryland Gazette,* 1745–65

1745 Stabbing of overseer to death by slave.
1746 Convict woman servant as accomplice to others in murder.
1747 Rape of white girl by a black.
1748 Threat to strike overseer by a slave.
1749 Burning of master's house supposedly by vengeful servant;
Rape of white girl by a black;
Burning of master's houses by a slave;
Murder of master by a servant.
1750 Murder of pursuing master by runaway mulatto.

70. Bordley to Carroll, July 16, 1757, Bordley Letterbooks.
71. For examples of those condemned to be hung in chains, see *Maryland Gazette,* January 30, 1751 and June 26, 1755; and *Archives of Maryland,* 31:31, 69, 79.

1751 Convict threatens master's wife with an axe;
Rape of white woman by a black;
Murder of master's children by convict servant;
Murder of overseer by convict servant;
Burning of tobacco house by black women;
Stabbing of man by black robber;
Murder of mistress and attempted murder of master by servants at urging of overseer.
1752 Attempted murder of master and mistress by convict servants.
1753 Attempted murder of master by slave;
Conspiracy among blacks to kill whites;
Murder of master by slaves with axe (actually in Virginia, but included here because the *Gazette* carried the gory account and references to it in the "Annapolis" column for several issues).
1754 Burning of master's houses by servants;
Burning of master's houses supposedly by black women;
Murder of master, stealing of ship by servants;
Murder of white girl and white woman by black;
Assaulting, robbing of whites by blacks;
Murder of master by slave.
1755 Threat to kill man during robbery by convicts;
Murder of overseer by slave;
Poisoning of master by slaves and white servant;
Attempted poisoning of master by slave;
Attempted poisoning of master by slaves;
Attempted murder of man by convict servant with axe.
1756 Murder of master by servant;
Murder of white man by mulatto.
1757 Attempted poisoning of master by slave girl.
(1758–1760—no incidents reported.)
1761 Murder of mistress and children by slave;
Poisoning of mistress by slaves (event had occurred several years before but criminal aspect had just been discovered).
1762 Murder of master by slave;
Shooting of master by servant.
1763 Poisoning of master by slave.
1764 Poisoning of master by slave;
Stabbing of overseer to death by slave;
Murder of overseer by slave.
1765 Stabbing of master to death by convict servant.

Law, Economy, and Social Values in Jacksonian America: A Maryland Case Study

THOMAS BENDER

THE SIGNS OF QUICKENING ECONOMIC ACTIVITY GENERALLY ASSOCIATED WITH the modernization of societies became apparent in the United States during the decades immediately following the War of 1812.[1] This acceleration of American economic life occurred within a particular legal framework, and this offers possibilities that can be exploited for cultural analysis. Because the law, as Oliver Wendell Holmes, Jr., pointed out long ago, typically embodies the dominant values of the larger society, the study of legal change provides the historian with a window that illuminates changing social values and economic expectations in periods of social transformation.

My purpose in this article is to use Maryland as a test case for an exploration of the interaction of law, economy, and social values during the 1820s and 1830s, particularly in respect to changes in the transport sector of the economy. The basic question I shall consider is this: Were the dominant values shaping American law in 1820 favorable to the sort of prodigious economic expansion that occurred after 1840? Or did a significant shift in values, reflected in the working premises of the law, occur between 1820 and the onset of industrialization and rapid urbanization?

The record in Maryland indicates that there was indeed a change in the working premises of the law in the twenty years following 1820. The case of Maryland also suggests that these changes in the legal environment were related to general and long-term modernizing trends in early American history, such as the movement from a community-oriented, security-conscious, deferential and slowly-paced society to a more individualistic, achievement-oriented, competitive, egalitarian, and dynamic one.[2]

Dr. Thomas Bender is an associate professor of history at New York University.

1. The best studies of early American economic history are Stuart Bruchey, *The Roots of American Economic Growth, 1607-1861* (New York, 1965); George Rogers Taylor, *The Transportation Revolution, 1815-1860* (New York, 1968, orig. ed. 1951); and Douglass C. North, *The Economic Growth of the United States, 1790-1860* (New York, 1966, orig. ed. 1961).

2. For a pertinent discussion of the relevance of modernization theory to early American history, see Richard D. Brown, "Modernization and the Modern Personality in Early America, 1600-1865: A Sketch of a Synthesis," *The Journal of Interdisciplinary History* 2 (Winter 1972): 201-28. Several other studies, less explicitly indebted to formal modernization theory, sensitively probe the social and cultural transformations occurring during the Jacksonian years. Among the best are: David Potter, *People of Plenty* (Chicago, 1952); Rowland Berthoff, "The American Social Order: A

From the Revolution onward, the most obvious point where state law directly impinged upon the conduct of economic affairs—slavery aside—was in matters of incorporation. Th basic policy regarding corporate charters during the pre-Jacksonian years was formulated in the Dartmouth College Case (1819). In that famous case, the Supreme Court held that since a corporate charter was a "contract for the security and disposition of property," the legislature could not alter one already granted without violating the contract clause of the constitution. Although this case involved an educational institution, the bias toward stability and security for established privileges represented the orientation of corporation law generally.[3] By mid century, however, this commitment to security had given way to what Willard Hurst has described as a belief in the creative "release of energy" in economic life.[4] What follows is an attempt to understand the process, pattern, and meaning of this broadly described shift by using the case study approach to place it in a specific context.

Prior to 1829, the Dartmouth doctrine went unchallenged in Maryland.[5] During the 1830s, however, the records of the Maryland Courts of Appeal and of Chancery reveal a fundamental conflict between defenders of the older interpretation of corporate privileges and those who favored a more active and competitive economic life. In essence what ensued was a clash between an older, more traditional and a newer, innovative America.

As the struggle developed, social values quickly came to the surface in legal arguments. From the outset it was clear that the conflict was between those preferring or expecting limited economic activity and those favoring or expecting accelerating change based upon a high rate of economic activity. Both conservatives or traditionalists[6] and modernizers favored economic develop-

---

Conservative Hypothesis," *American Historical Review* 65 (April 1960): 495–514; *idem., An Unsettled People: Social Order and Disorder in American Life* (New York, 1971); Richard Hofstadter, *The American Political Tradition* (New York, 1948), chap. 3; and Marvin Meyers, *The Jacksonian Persuasion* (New York, 1960, orig. ed. 1957). For somewhat different approaches relating these changes to legal and economic developments in Massachusetts and Pennsylvania, see Oscar and Mary F. Handlin, *Commonwealth, A Study of the Role of Government in the American Economy: Massachusetts, 1774–1861* (rev. ed.; Cambridge, 1969); Stanley I. Kutler, *Privilege and Creative Destruction: The Charles River Bridge Case* (Philadelphia, 1971); and Louis Hartz, *Economic Policy and Democratic Thought: Pennsylvania, 1776–1860* (Cambridge, 1948). See also two useful overviews and critiques of the literature on the subject: Robert A. Lively, "The American System," *Business History Review* 29 (March 1955): 81–96; and Harry N. Scheiber, "Government and the Economy: Studies of the 'Commonwealth' Policy in Nineteenth-Century America," *Journal of Interdisciplinary History* 3 (Summer 1972): 135–51.

3. Lawrence Friedman, *A History of American Law* (New York, 1973), chap. 3, quote from page 174.

4. James Willard Hurst, *Law and the Conditions of Freedom in the Nineteenth Century United States* (Madison, 1956), chap. 1; and *idem., Law and the Social Process in United States History* (Ann Arbor, 1960).

5. Joseph G. Blandi argues that the Dartmouth Doctrine was *never* challenged in Maryland before it was made irrelevant by the Constitution of 1851, but he overlooks the indirect challenges presented by many of the cases we shall discuss below as well as the direct challenge presented by the case of *Regents of the University of Maryland* vs. *Williams*, 9 Gill and Johnson 365 (1838). The doctrine is also directly attacked in the more complicated case of *Norris* vs. *Trustees of the Abington Academy*, 7 Gill and Johnson 7 (1834). For Blandi's argument, see his *Maryland Business Corporations, 1783–1852* (Baltimore, 1934), p. 59.

6. In this article, "conservative" is usually considered to be interchangeable with "traditional." I

ment. And they both supported government intervention to encourage enterprise and development.[7] But they differed in their assumptions about the character of American life and, consequently, about precisely how the government ought to intervene in economic affairs. Specifically, they held conflicting ideas about how much economic activity would best promote growth and how open the elite engaged in developmental roles might be without causing social confusion. The conservatives, with their commitment to community stability, security, and hierarchy, assumed that development was an orderly process that was properly guided by the established elements of the community. To this end, the law was obligated to protect property and vested rights, particularly monopolies, and thereby defend the community from disruptive economic activity. In contrast, the modernizers, who envisioned a more individualistic, competitive, and achievement-oriented America, tended to equate the rate and total extent of economic *activity* with the rate of economic development. The legal environment, in their view, served society best when it protected venture capital and encouraged new entries into the marketplace.

The controversy surrounding the "collision" of the Baltimore and Ohio Railroad Company and the Chesapeake and Ohio Canal Company in the Potomac Valley in the late 1820s and early 1830s illustrates the nature of the conflict between modernizers and conservatives. This dispute, which raged inside and outside of the Maryland courts for seven years, reveals, as well as any single incident can, the systematic rejection of the conservative working premises and their replacement by a legal style more appropriate to a modernizing society.

In 1824 Congress appropriated money to finance a survey to examine the feasibility of a canal from the Maryland seaboard to the Ohio River. This stimulated a group of Marylanders (including several members of the older and then moribund Potomac Canal Company) to obtain a charter for the Chesapeake and Ohio Canal Company. When organized, the Chesapeake and Ohio was to assume the rights and privileges in the Potomac Valley that had been granted in 1785 to the Potomac Company (contingent upon the approval of the company).[8]

The report by the United States Corps of Engineers was completed in 1826. It concluded that although the canal was technologically feasible, the cost would be twenty-two million dollars. Confronted with this staggering price tag, Baltimoreans quickly lost interest, and the canal company had difficulty subscribing

---

have, however, preferred to use the word conservative in nearly all instances because traditional has acquired a technical meaning in contemporary social science that is inapplicable to American conditions. "Transitional," as used in modernization literature, is probably the best technical equivalent for my use of conservative. (For a description of a transitional society, see Lucian W. Pye, *Politics, Personality, and Nation Building* [New Haven, 1962], chap. 2.) I have used conservative rather than transitional in place of traditional primarily for stylistic reasons: a description of a *transition from a transitional* society would be unnecessarily confusing.

7. See Carter Goodrich, *Government Promotion of American Canals and Railroads, 1800–1890* (New York, 1960); and Lively, "The American System."

8. For my discussion of the early history of the two companies, I have relied upon the annual reports of the two companies, the Baltimore *American and Commerical Advertiser, Niles' Weekly Register,* and the following two studies: Milton Reizenstein, *The Economic History of the Baltimore and Ohio Railroad, 1827–1853* (Baltimore, 1897); and George Washington Ward, *The Early Development of the Chesapeake and Ohio Canal Project* (Baltimore, 1899).

one-fourth of its authorized stock, the amount required by its charter for the company to organize itself.

Faced with lagging subscriptions, Phillip E. Thomas, one of the promoters, decided that the canal project was doomed. But determined to obtain improved transportation to the West for Baltimore, Thomas did not give up. Intrigued by news of British experiments with railroads, he dispatched a delegation to England to study this innovation in transportation and to determine the feasibility of a railroad from Baltimore to the Ohio. Receiving a favorable report, Thomas and his backers proceeded to draw up a charter for America's first railroad.

If the citizens of Baltimore had reacted lethargically to the canal project, they responded with enthusiasm to the railroad scheme. A letter published in the Baltimore *American* proclaimed: "Depend on it you will never see a canal between this city and the Ohio River. You must look for some more permanent and efficient mode of intercourse; that must be a *rail road.*"[9] The legislature granted the requested charter to the Baltimore and Ohio on February 28, 1827. While the canal company remained unorganized, the railroad company (which had 15,000 authorized shares) had subscribers for 41,000 shares in Baltimore alone only twelve days after the subscription books were opened.[10]

The railroad company immediately began construction. Finding that the Potomac Valley "presented the only feasible route [to the Ohio River] . . . consistent with correct scientific principles," it proceeded to build into the Potomac Valley.[11] This action brought it into collision with the claims of the canal company, which in turn sought an injunction to prevent the railroad from exercising its chartered powers in the valley. Suing in the name of the Potomac Company until the Chesapeake and Ohio was organized (it would be organized before the case came to trial), the canal claimed "exclusive use and appropriation" of the river valley and all its tributary streams. Although the canal company was not fully organized at the time the railroad was chartered and began its activities in the valley, it claimed its charter rights constituted a contract that would be impaired if the Baltimore and Ohio charter allowed the railroad to build through the Potomac Valley. In addition to claiming protection by virtue of the contract clause of the Constitution, the canal company claimed that prior and enforceable rights flowed from its intentions to make a canal in the valley having been long known and approved. For these reasons, the canal directors claimed they were entitled to "clear and absolute pre-emption" and could not "be restricted in their choice of the most eligible route."[12]

The case was argued in the Maryland Court of Chancery before Chancellor Theodorick Bland in 1829. The railroad denied that the canal company had any

---

9. Baltimore *American and Commercial Advertiser,* February 19, 1827.
10. *Ibid.,* April 2, 1827.
11. *Report . . . of the Baltimore and Ohio Railroad to the Executive of the State of Maryland* (December 1831), p. 3; S. H. Long and William G. McNeil, *Narrative of the Proceedings of the Board of Engineers of the Baltimore and Ohio Railroad Company* (Baltimore, 1830); and *Third Annual Report* [of the B & O], p. 5.
12. Bill of Complaint and Injunction filed in Washington County Court, June 10, 1828, printed in Baltimore *American and Commercial Advertiser,* June 14, 1828.

"unquestionable and absolute right of election and preemption for the route of said canal." The canal company, declared the Baltimore and Ohio, had not even been organized when the railroad company acted to secure title to land in the valley. As for the Potomac Company, it never exercised its franchise in such a manner as to vest in it an exclusive title to the lands in question.[13] Besides arguing for strict construction of the canal company's charter, the railroad counsel implied that a charter was a particular kind of contract. While the courts should protect economic action, there was no obligation in respect to previously acquired but unused privileges. Corporate powers, the railroad company seemed to say, came into existence with the exercise of intended powers in a charter, not with their mere specification. In contrast, the canal company argued that corporate powers flowed from the charter itself, not from any act taken in pursuance of it. In other words, the railroad judged the validity (or enforceablility) of the charter on pragmatic grounds tied to specific actions while the canal company assumed that the special status created by the charter was sufficient.

Chancellor Bland found for the railroad. The court, he ruled, was obliged to protect legal acts, but it did not have to secure claims to unused privileges.

> The equity arising out of these facts, may be expressed to the effect: where two or more are allowed, by law, to purchase and acquire title to lands, upon certain conditions, and according to a prescribed mode of proceeding, he who does the first requisite act for that purpose shall not be hindered in his further progress; because the law has thus held out a pledge, that no one else shall be permitted after that, so to interpose any obstacles . . . by means of which he may be . . . enabled to litigate and embarrass, if not to overthrow, the right of him whose title had been thus first begun.[14]

The canal company, of course, immediately appealed the decision.

The appeal was argued before the Maryland Court of Appeals in the latter part of 1831. The decision, which reversed that of the Chancellor, was handed down in January 1832. The written opinions, however, were not completed until June 1832. The division between the majority (3) and the minority (2) on the Court was drawn between conservative and modern legal working premises.

The sharpest conflict between Chief Justice John Buchanan's opinion for the court and the two dissenting opinions (Judges Stevenson Archer and Walter Dorsey) focused upon the question of protecting inactive legal privileges as opposed to legal acts. Buchanan argued that special rights accrue immediately from the special status to which a corporation is raised by its charter. The canal company's vested right to choose a route for the canal in the valley of the Potomac is "a right created by the charter, and existing independent of any survey, or *act* of location or of condemnation, which would be but an exertion of that right." The law's protection, he insisted, was not earned by performing

---

13. *The Chesapeake and Ohio Canal Company* vs. *The Baltimore and Ohio Railroad Company*, 4 Gill and Johnson 1 (1832), 10.
14. *Ibid.*, p. 54.

specific legal acts, rather the law must "preserve the prior right" vested by the grant itself.[15]

This view of the role of law in economic development was directly opposed to Bland's conception of protecting ventures rather than securing inactive privileges. And Buchanan's dissenting colleagues supported Bland. Dorsey, for instance, agreed with the arguments of Bland and the counsel for the railroad that the law should not protect status achieved by contract but should protect action in pursuit of the goals specified in the contract. The "contract *per se*," he explained, "gave them [the canal company] no priority of right, in any particular route for their canal . . . such priority rested entirely on priority of selection. . . . "[16]

The justices also disagreed over the nature of the charter itself. Since the canal company had not yet organized itself when the collision occurred, was the charter even enforceable? When did rights adhere to a corporation? Did rights vest in a corporation when the legislature voted its charter, or when the act of organization was completed? Should the rights of an inactive corporation be protected by the law to the disadvantage of an active corporation?

Buchanan held that the special status adhered to the corporation from the point when the charter was voted by the legislature. It was then held in "abeyance" until the company formed. Extended to its logical extreme, Buchanan's position would be catastrophic to development. If rights of eminent domain adhered to an unformed and necessarily inactive corporation, then that corporation could, by continuing its legitimate inactivity and by asserting the inviolability of its dormant rights of eminent domain, postpone indefinitely public works development in the area where it held these rights. It may be unfair to extend Buchanan's logic to such extremes, but his critics did just that. And Buchanan should have seen the logical implications of his position and protected himself. That he did not is suggestive. Apparently, he overlooked the implications of his position because his conservative vision of America assumed that economic development came about by securing monopoly status to corporations which would exist free from the pressures of the market place.[17]

Dorsey and Archer saw in Buchanan's doctrine an intolerable threat to development, and they voiced their dissent. Archer declared that the charter was a "mere offer to incorporate." Only when the act of acceptance is performed (organizing) did it become obligatory for the courts to give the charter privileges the force of law. If the law protected the privileges of corporations that might or might not eventually come into real existence and serve the purpose for which they were created, then development might be arrested indefinitely. It would be unwise to protect such privileges. What, for instance, if "nothing is done to bring this corporation into existence for half a century."

> Then it unexpectedly springs into life. What are to be the results? Is it to overreach and defeat all intermediately formed canals, railroads, and turnpikes; or are all

15. *Ibid.*, pp. 144–45, 106–107.
16. *Ibid.*, p. 273.
17. *Ibid.*, pp. 146–47.

> these improvements to be absolutely terminated, and this entire region thus condemned, to forego the advantages of the useful progress of legislation, enlightened by the advancement of science. . . . [18]

Buchanan and his dissenting colleagues also differed in their interpretations of eminent domain. The conservative Buchanan assumed that powers of eminent domain should be granted to corporate bodies that would exercise the powers "from time to time, and in such a manner as they see fit." Just as in a traditional society the members of an organic community defer to the leadership of an elite, so in Buchanan's view the community should grant broad privileges to corporations and then depend upon their judgment in developing the country. Archer responded that "the power of condemning land, and appropriating it for the use of the company, was a high attribute of sovereignty, was in derogation of the rights of the citizens, and ought to be construed rigidly. . . . " Dorsey added that the state could pass no law "suspending its exertion [of authority] for an indefinite period" or annulling the state's right to control any delegated power in the future. And once the power had been exercised by the corporation, for the specific purpose for which it was granted, it expired and reverted immediately to the sovereign citizens.[19]

Implicit in the Court's various divisions of opinion were differing attitudes concerning the proper rate and style of economic activity in American society. Buchanan favored a reliance upon the measured judgment of legally secure elites to direct a gradual and manageable course of economic development. Dorsey and Archer assumed that a much higher rate of economic activity with more open participation would be necessary for development. In their view, the orderliness and control desired by Buchanan would hamper progress. They apparently did not share Buchanan's fear of a more open and fluid society. They believed that beneficial economic development would result from legal decisions that allowed a dramatic increase in the rate of economic activity and that encouraged the use of technological innovations.

The decision rendered by the court was based upon Buchanan's conservative legal assumptions, and Baltimoreans, who were deeply upset by the decision, immediately launched an attack upon it and the conservative premises that underlay it. Editor Hezekiah Niles declared that the idea of the canal retaining "everlasting" rights of way "whether the canal shall ever be made or not" should not be allowed.[20] The editor of the Baltimore *American* urged that the case be retried because one justice was absent, and his presence might have produced a tie vote that would allow an appeal to the United States Supreme Court. He went on to condemn the doctrine urged by the canal company and sustained by the court that the canal company's right to choice was a "paramount right,—overriding all others—beyond the reach of the state . . . a right perfect in itself." Baltimore, trying to meet New York's Erie Canal with a transportation innovation of its own, demanded a better solution.[21]

---

18. *Ibid.*, pp. 184–85, 187–88. Dorsey expresses a similar attitude at *ibid.*, pp. 246–47.
19. *Ibid.*, pp. 113, 175, 235, 174.
20. *Niles' Weekly Register* (August 11, 1832), p. 419.
21. Baltimore *American and Commercial Advertiser,* December 26, 1831. It might be recalled that at this date it was not as obvious as it is today that railroads were technologically superior to

The controversy was finally settled in favor of the railroad through legislative intervention in 1836. Back in 1829 Chancellor Bland had ordered a survey to determine whether a compromise was possible. The survey report indicated that with a modest increase in costs both companies could use the valley route. The railroad welcomed the compromise idea, but the canal company was opposed to it. Nevertheless, negotiations continued off and on for six years until a settlement was reached in 1836.

During the course of these negotiations the two companies defended substantially the same positions they had held in the courtroom. The canal company asserted its absolute rights and expressed a conservative view of the proper pace of economic activity. The railroad company expressed a more modern, dynamic, and competitive view of the developmental process. It would be naive to overlook the way in which these two ideological positions nicely conformed to the respective self-interests of the two corporations.[22] What needs to be stressed, however, is the existence in this period of transition of two distinct sets of economic and legal theories, one traditionalistic and the other modern, to which they could appeal. By 1840 only the modern argument remained viable.

The fundamental question as seen by the railroad, especially after Buchanan's decision, was whether the absolute property rights claimed by the canal company could be permitted to destroy a "body created for the benefit of the citizens of Maryland."[23] The canal company, on the other hand, was aware of its "*power* to arrest progress" and felt fully justified in exercising that power to prevent competition.[24]

The public statements of the two companies differed most obviously in their assumptions about the role of the market place and competition in economic development. Richard Coxe, speaking for the Chesapeake and Ohio, rejected any compromise that would permit the construction of the railroad because "the proximity of a rival enterprise cannot but be pernicious in its influence. . . ." Competition would reduce profits and "inadequate profits upon the large amount of capital invested will speedily induce neglect, and neglect will rapidly hurry both to destruction." Furthermore, he insisted, if the original plan had contemplated a "rival enterprise," no one would have invested in the canal project.[25] Development, in this view, was the product of legally protected corporate monopolies. Competition hampered development.

In contrast, the railroad company argued that America's economy needed the stimulation of competition. P. E. Thomas, president of the Baltimore and Ohio, wrote to Charles F. Mercer, president of the Chesapeake and Ohio, and ex-

---

canals. For a detailed account of urban rivalry and transportation during the period, see Julius Rubin, *Canal or Railroad? Imitation and Innovation in Response to the Erie Canal in Philadelphia, Baltimore, and Boston* (Philadelphia, 1961).

22. In other respects, such as internal organization and administration, both companies were modern for this time.

23. *Sixth Annual Report* [of the B & O], p. 17.

24. *Memorial of the President and Directors of the Chesapeake and Ohio Canal Company* U.S. 21 Cong. 2 sess. House of Representatives. Report no. 31; *Correspondence Between the Chesapeake and Ohio Canal Company and the Baltimore and Ohio Railroad Company* (Baltimore, 1830), p. 66.

25. *Extracts from the Proceedings of the Baltimore and Ohio Railroad Company and the Chesapeake and Ohio Canal Company, Respecting the Joint Construction of a Canal and Railroad Along the Narrow Passes of the Potomac* (Washington, 1830).

plained that his company was "willing to come at once, into fair and equal competition with the canal company." The railroad and canal corporations were, Thomas believed, only private companies "whose strength lay not in the powers granted, but in the amount of funds they might be able to command, and this would be wholly dependent on public opinion."[26] Rejecting this point of view and frankly admitting that monopoly was its goal, the canal company reasserted its claim to the absolute security of its charter.

This polarization of attitudes concerning the value of corporate monopolies as opposed to competition revealed different assumptions about social and economic change in America. The directors of the canal company perceived beneficient change as gradual and conceived of the entrepreneurial role as one of limited activity. The directors of the railroad, by contrast, were promoter-minded, and they envisioned the entrepreneurial role as an active one that stimulated economic activity and growth.

The president of the Chesapeake and Ohio admitted that at some remote time railways would be feasible in America. But, he explained, there was plenty of time in which to adjust to this. There was no need for such revolutionary and threatening action as attacking corporate monopolies and absolute property rights. When the proper time eventually arrived, existing companies, like his canal company, would make the proper adjustments. He insisted that with proper legal protection these institutions would respond to the gradually changing economic needs of society.[27] Richard Coxe, Mercer's colleague on the Board of Directors of the canal company, agreed. Efforts to stimulate economic development through a drastic acceleration of economic activity and competition in an open market were erroneous: "The most sanguine anticipations of the future growth and prosperity of our country must postpone, for many years, the period when it will exhibit such an accumulation of commodities, and such an increase in business, as will furnish employment to both works."[28] The officials of the Baltimore and Ohio railroad, welcoming a competitive legal environment, rejected this gradualist and restrictive (and safe) interpretation of the entrepreneurial role.

With the two companies unable to arrive at a compromise on their own, the legislature began to take an active interest in the controversy. In 1832 the legislature had passed a resolution stating that it "earnestly recommends" that the canal company accept the compromise proposed by the railroad. A year later, after the canal had rejected all compromise, a Joint Committee on the Collision of the Railroad Company and the Canal Company was formed. The committee decided to accept the canal company's position, and it attempted to work out a compromise from that point. It agreed that the canal company had the legal right to challenge the progress of the railroad and that the legal right could not be affected by legislative dictation. The committee hoped, however, that the canal company might be persuaded to yield its interests.

When approached, the canal company (typically in financial difficulties)

26. *Correspondence*, p. 64; and *Fourth Annual Report* [of the B & O], pp. 9–10.
27. *Memorial*, p. 9; *Third Annual Report* [of the C & O]; and *Correspondence*, pp. 61–62.
28. *Extracts*, p. 25.

suggested that it might be persuaded to yield its absolute rights if the legislature authorized a state subscription to canal stock and granted the canal company broad authority over water power rights on the Potomac River. In earlier negotiations, the canal company had insisted that the railroad company agree *never* to build farther up the valley than Harper's Ferry. Now, however, the canal company softened its position. Although it did not waver in its assumption that it might assert its absolute rights to prevent competition, the canal company agreed to allow the railroad to construct its line up the valley beyond Harper's Ferry any time after the completion of the canal to the Ohio River.

The canal company was now insisting on monopoly privileges only during the formative years of the canal project. By 1836 it would abandon even this claim to special status. The railroad accepted the compromise—including the restriction on building beyond Harper's Ferry. It did not, however, abandon the fight for the right to build in the valley. In 1835 the Chesapeake and Ohio announced that the two million dollar subscription it had obtained as a part of the 1833 compromise had been spent without bringing the canal significantly closer to completion. Once again the canal company went to the legislature asking for financial aid. It found that aid would be available only if it renounced its earlier views on development—its claim that it could rely upon absolute rights of preemption to prevent competition. The Chesapeake and Ohio was reluctant to agree, but it was the only alternative to immediate bankruptcy—so the company went along.[29]

The legal basis for the settlement came in a law passed in June 1836, outlining a general program of internal improvements. The legislature obligated itself to provide substantial financial support for selected internal improvement corporations whose projects were deemed vital to Maryland's economic development. The state would no longer protect corporate monopolies that conflicted with the public's interest in widespread entrepreneurial activity. In the future corporate rights and privileges would, at least in theory, be subject to the general needs of the state.[30] Although not required by law, in practice nearly every charter granted in Maryland after 1836 included a clause reserving to the state the right to alter or repeal it at the state's pleasure.[31]

The issues that divided conservatives and modernizers can be phrased in analytical terms of more general significance by exploring three sets of legal assumptions that emerged during the canal and railroad crisis. Stated as analytic dichotomies, they are: (1) status contract versus purposive contract, (2) monopoly versus market orientation, and (3) localistic or particularistic norms of judgment versus general ones. These concepts, with further elaboration, provide an effective focus for grasping the connections between economic policy and broader patterns of societal development and modernization.

---

29. *Ibid.*, (October 15, 1836), p. 107.
30. Report of Ways and Means Committee, House of Delegates. Summarized in Baltimore *American and Commercial Advertiser,* March 21, 1836.
31. See Blandi, *Maryland Business Corporations,* p. 58.

The notion of distinguishing between "status contracts" and "purposive contracts" was devised by Max Weber to explain the emergence of a market economy in modern Europe. The terms are difficult to explain in an American context where there was no heritage of feudal law, but the terms are relevant and important to any understanding of our modernizing experience in law and economy. According to Weber, the status contract "meant that the person would 'become' something different in quality (or status) from the quality he possessed before." In contrast, purposive contracts neither affected the status of the parties nor gave rise to new qualities, but aimed solely at some specific (especially economic) performance or result.[32]

The status contract is fulfilled by the very act of being entered into, regardless of any *acts* performed as a part of the contract or their consequences. Because it does not demand purposeful action for its validity, the status contract encourages (or at least allows) the non-use of the special privileges attained. In a society characterized by ascriptive standards of status and a preference for a stable economy, this might provide an acceptable legal foundation for economic life. However, in a dynamic, achievement-oriented society, the purposive contract is more attractive because it encourages change by judging the validity or enforceability of agreements in terms of actions taken.

For Maryland conservatives a charter created a special status of "internal improver." They assumed that leaders of the community, safely protected in their corporate privileges, would wisely guide economic development, and society would benefit from their wise judgment. This commitment to a hierarchical and organic version of community and to gradual growth under the aegis of a local elite was in conflict with the dominant impulses of a society in the process of economic modernization. The very virtues that recommended the status contract to conservatives (gradualism and elite leadership in the economy) made it anathema to those touched by the increasingly egalitarian spirit of the Jacksonian period. The Jacksonian generation was more concerned about expanding economic activity than in preserving the status of community leaders. And by the 1840s as the railroad and canal settlement shows, the modern definition of contract had replaced the status contract in Maryland corporation law.[33]

The conservative preference for monopoly as opposed to competition in the allocation of economic resources met a similar challenge. "The beneficiary of a corporate-status monopoly," Max Weber wrote, "restricts, and maintains his power against, the market, while the rational-economic monopolist rules through the market."[34] Maryland conservatives felt that if corporate rights were protected from competition in the market, established elites could guide development in an orderly manner. In contrast, modernizers, with their faith in achievement and egalitarianism, believed that competition would be more productive of beneficial growth.

---

32. Max Weber, *Max Weber on Law in Economy and Society,* ed. Max Rheinstein (Cambridge, 1954), pp. 105–107.
33. See also *State* vs. *Baltimore and Ohio Railroad Company,* 6 Gill 363 (1847); *The Tidewater Canal Company* vs. *Ann Archer,* 9 Gill and Johnson 479 (Appendix, 1839); *Western Maryland Railroad Company and others* vs. *Henry Owings and others,* 15 Maryland Reports 199 (1859).
34. Weber, *Max Weber on Law in Economy and Society,* p. 196.

It should be noted that modernizers were not democratic levellers. Or put another way, their egalitarianism supported equality of opportunity but did not imply equality of result in economic life. They used democratic rhetoric to abolish corporate privilege in favor of what Stuart Bruchey has called "corporate egalitarianism."[35] While the older idea of corporate privilege provided community sanction for a non-competitive legal environment in order to protect an economic elite against failure, the modernizers sought to create a competitive legal environment that stimulated wider participation but which provided no protection against the numerous failures implied by such an economy. To the extent, therefore, that the ideal of achievement in the ideology of modernizers was linked to a drive toward what Weber called rational economic monopoly, the prospect of real equality was threatened. This conflict between achievement and equality, which emerged during the Jacksonian years, has been a key theme of American history ever since.[36]

The technological innovations of the 1820s and 1830s forced a challenge to the traditional protection of monopoly status in the transport sector of the economy. During this period, the economic consequences of judicial decisions became socially important, and judges began to approach legal questions with different assumptions about issues of property, contracts, and the market place.[37] They increasingly refused to protect corporate-status monopolies through broad construction of their charters whenever the consequences of such protection would be derogatory to economic development through activity in the market place.

In order to protect monopoly status from the insecurities of competition, the conservatives typically defined prior grants of eminent domain in prohibitively diffuse terms. Buchanan, as we have seen, believed that corporate-status monopolies could exercise their powers of eminent domain "from time to time, and in such a manner as they see fit."[38] Modernizers like Bland, in contrast, argued that eminent domain was not some overarching power possessed by corporations. Rather it was a grant of specific, limited powers to be narrowly construed.[39]

In 1800 one of Bland's predecessors in the Chancery Court had issued an injunction against a ferry because it constituted injurious competition with a previously established ferry. He had based his decision on the assumption that competition was harmful to economic development.[40] In 1829 Bland rejected this doctrine: "it would be bad policy, unjust and unconstitutional, as having the effect of a monopoly, to prevent anyone from making any use whatever of his own property, because of its operating as an injurious rivalship of another. . . ."[41]

Bland's attitude prevailed in the Maryland Courts by 1840. The decisive case came in 1839 when the Washington and Baltimore Turnpike Company brought

---

35. Bruchey, *The Roots of American Economic Growth*, p. 137.
36. See Seymour M. Lipset, *The First New Nation* (New York, 1963).
37. For a general discussion of the increasing concern with the consequences of judicial decisions, see Morton J. Horwitz, "The Emergence of an Instrumental Conception of American Law, 1780–1820," *Perspectives in American History* 5 (1971): 287–326.
38. See Buchanan's opinion in 4 Gill and Johnson 1 at 113.
39. *Binney's Case*, 2 Bland 99 (1829), 128.
40. *Norwood* vs. *Norwood* (1800) in Chancery Court (Chancellor Hanson), reported in 2 Bland 476.
41. 2 Bland 99 at 119.

suit against the Baltimore and Ohio Railroad Company for violation of its assumed monopoly on travel between Washington and Baltimore. Arguing on conservative premises, lawyers for the turnpike explained that ten years before the railroad was chartered the legislature had granted to the turnpike powers of eminent domain so that they could build a road between Baltimore and Washington. Consequently, they argued, the state had no power to make a second grant to the railroad without impairing the powers granted in the prior turnpike charter. Interpreting the power granted by the charter broadly, they declared that the power was "in its nature exclusive, and not confined to the limits of their road, but extended on each side of it, so as to prevent injurious competition, by the erection of any other rival road with the same termini. . . . "

Counsel for the railroad replied that the turnpike charter granted the power to construct a turnpike road only, and it did not "restrict the legislature in the exercise of eminent domain, or vest in the plaintiffs the exclusive rights they claim." They explained that "nothing can pass by implication." If the charter did not specifically prohibit a railroad, then the legislature's power to authorize one was not impaired. As for the assertion that the profits of the turnpike would suffer from the establishment of a competing road, "any diversion of the travel from the turnpike to the railroad, diminishing the tolls of the plaintiffs, is *damnum absque injuria*, for which no action lie." By unanimously accepting the railroad's argument, the court supported the modern legal premise that corporate-status monopolies and broad interpretations of eminent domain powers should not be allowed to restrict competition in the market place.[42]

The third dimension in the reorientation of values in the legal environment concerns the shift from local or particularistic norms to statewide considerations in the allocation of transport and communication resources in ante-bellum Maryland. As the transportation revolution proceeded and the market became larger and more interdependent, modernizers interpreted localism and particularistic interests in terms of a state-wide market economy. The state's acceptance of responsibility for protecting the general interest (as opposed to particularistic interests) in expanding the communication network as a stimulus to widespread economic activity is suggested in the terms of a bill settling the railroad and canal conflict.[43] It is even more clearly demonstrated in the conflict between Washington County and the Baltimore and Ohio Railroad a few years later.

In 1835 the state had granted a three-million-dollar subscription to the railroad. It was agreed that the railroad would forfeit one million dollars of this to the state for the use of Washington County if the railroad failed to build a road in Washington County within a specified period of time. Soon afterward, the railroad began to complain that this specific obligation would limit its capacity to continue developing the state's transportation network generally and thus expand access to economic activity in the market place. In response, the state in 1840 released the railroad from this obligation.

Washington County sued for damages, saying that this release impaired an

42. *President, Managers and Company of the Washington and Baltimore Turnpike Road* vs. *The Baltimore and Ohio Railroad Company*, 10 Gill and Johnson 392 (1839), quotations from 402, 403.
43. *Cf.* Harry N. Scheiber, *The Ohio Canal Era* (Athens, Ohio, 1969), esp. chap. 4.

implied contract to the prejudice of the particular interests of the county. The court found for the railroad company. Its opinion stressed that the county was but a "part of the state itself," and the will of the majority [of the state] when expressed according to the forms of the constitution, is binding and obligatory on her. . . ."[44] In the face of a general commitment to expanding economic activity, the court ignored the plea of John Sergeant, counsel for the county, that "to contract is a moral power" to be respected whatever the effect upon progress. "Better, far, that all railroads should be torn up—all canals destroyed—better that we should go back to our ancestors, than under the color of good, we should do deliberate wrong."[45] Jacksonian America may have occasionally yearned for the values Sergeant represented, but not at the cost of tearing up the railroads.

The new equilibrium established within the Maryland legal environment represented an accommodation to long-term modernizing trends and systematically favored innovation, change, and rapid economic expansion. These changes provided a foundation for the dramatic growth in the transportation network underlying the urban and industrial development that marked the second half of the nineteenth century.

Yet an interpretation that unequivocally labels this triumph of "modern" assumptions as "progressive" raises certain questions. Were these legal working premises also at the root of the nineteenth century's failure to order economic development within a coherent and democratic vision of community welfare? Admittedly, the traditionalistic pattern of order and control advocated by the conservatives was not acceptable in the increasingly egalitarian atmosphere of the Jacksonian years. But was the pattern of economic individualism and rational-economic monopoly that replaced it more protective of democratic values? Did the commitment of modernizers to economic activity, growth, and competition provide adequate guidelines to direct nineteenth century American urban and industrial development in a satisfactory manner?

Like any case study, this article invites further studies that will confirm or challenge its general argument. Likewise, only further studies can test the usefulness of the analytical distinctions developed here. But a complex account of the modernization process in American economic life requires more. We need many more imaginative studies, like those of Willard Hurst, Sam Bass Warner, Jr., and Seymour Mandelbaum, investigating the concrete ways in which these nineteenth century legal premises shaped and mis-shaped the dominant social and economic developments of the century.[46]

---

44. *The State of Maryland, use of Washington County* vs. *The Baltimore and Ohio Railroad Company,* 12 Gill and Johnson 399 (1842), at pp. 436–441. See also *Mayor and City Council of Baltimore* vs. *The Baltimore and Ohio Railroad Company,* 6 Gill 288 (1848).

45. 12 Gill and Johnson 399 at pp. 423–426. For a brief description of Sergeant and a discussion of the legal style he represented, see Perry Miller, *The Life of the Mind in America* (New York, 1965), Book II.

46. See Willard Hurst, *Law and Economic Growth: The Legal History of the Lumber Industry in Wisconsin, 1836–1915* (Cambridge, 1964); Sam Bass Warner, Jr., *The Private City: Philadelphia in Three Periods of Its Growth* (Philadelphia, 1968); *idem., The Urban Wilderness: A History of the American City* (New York, 1972), and Seymour J. Mandelbaum, *Boss Tweed's New York* (New York, 1965).

H. L. Mencken and "Hitlerism," 1933–1941: A Patrician Libertarian Besieged

DEAN BANKS

Seriously, I am still convinced that the uproar being made by the Jews in this country is doing them far more harm than good. . . . Meanwhile, all I can say about Hitler is that he seems to me to be an idiot. That all other Germans are idiots I doubt gravely.

Henry L. Mencken, July 25, 1935[1]

A NOTICEABLE CONTROVERSY HAS SURROUNDED THE SHORT, STOUT GADFLY who used to buzz so irreverently around the imperfect bodies of American institutions and elites. Did H. L. Mencken, editor of the *American Mercury* until late 1933 and columnist and editorial adviser for the Baltimore *Sun* during most of the Nazi era, sympathize with theories of superiority Hitler tried to implement after 1932?

The question is evident not only in Mencken's interaction with friends and critics in the 1930s and early '40s, but also in later writings. As recently as the summer of 1972 the *Maryland Historical Magazine* carried a short "Note" challenging the idea that Mencken, one of Baltimore's most prominent sons, ever looked favorably upon Hitler or the Nazi movement.[2] Similar contention was evident in the "Personal Note" prefacing the splendid edition of Mencken's letters published in 1961.[3] This personal recollection of Hamilton Owens, editor of the Baltimore *Evening Sun* during the Nazi era, agreed fully with the brief discussion of the issue that had appeared a decade earlier in William Manchester's *Disturber of the Peace: The Life of H. L. Mencken*.[4] It also agrees essen-

---

Dr. Dean Banks teaches at the University of Maryland, College Park.

1. Letter to Benjamin De Casseres, in Guy J. Forgue, ed., *Letters of H. L. Mencken* (New York: Alfred A. Knopf, 1961), p. 392. This study will refer as often as possible to Mencken's published letters, particularly to the splendid representative sampling in Forgue's volume. My review of manuscript collections, including many outside of the major Mencken holdings, verifies the following account. More detail can be gotten from the central collection of letters at Princeton University Library and from the smaller but important holdings of the New York Public Library. The small amount of material still restricted is not likely to change the story.
2. Frank Turaj, "Mencken and the Nazis: a Note," *Maryland Historical Magazine* 67 (Summer 1972): 176–78.
3. Hamilton Owens, "A Personal Note," in Forgue, *Letters*, pp. xii–xiii.
4. William Manchester, *Disturber of the Peace: The Life of H. L. Mencken* (New York, 1951), pp. 262–63, 288–89.

tially with the few general comments in Carl Bode's more recent *Mencken,* which seems to skirt meaningful treatment of the encounter with Hitlerism.[5]

Owens told briefly of his old friend's initial, "faulty" judgment of Hitler. To Mencken, the Führer at first seemed a "clown" the German people could not seriously support. "Indeed for a period he took the Austrian monster so lightly that on all hands he was frequently denounced as a Nazi and an anti-Semie. Letters poured into the *Sun* office using those words. By his direction most of them were published, with only the necessary editing. At first he laughed them off."[6]

Once, however, a disturbed Mencken asked if Owens believed he was "'Nazi or anti-Semitic.'" Reassured, he made a statement that got, said Owens, "close to the core of the Mencken philosophy." Of utmost importance to Mencken was "'human liberty,'" especially the "'absolute freedom'" for men to think and say what they wished. Reflecting the elitism for which he was noted, Mencken emphasized that such liberty was imperative for everyone if "'superior men'" were to be free to assert their leadership.[7]

This view of Mencken, as an incredulous anti-Nazi observer, clashed considerably with the image projected in 1956 by Charles Angoff's *H. L. Mencken: A Portrait from Memory.*[8] As the article in the *Maryland Historical Magazine* suggested, Angoff has been a chief source of the recent controversy. An American of Russian-Jewish origin, he was deeply involved in the anti-Nazi turmoil in New York City while on the staffs of the *American Mercury,* the *Nation,* and other intellectual magazines. Moreover, as Bode has pointed out, Angoff and Mencken had begun clashing before 1933 over the editorial policies of the *American Mercury*: Editor Mencken, an economic conservative scarcely driven to penitence by the depression, was not at all inclined to promote the moderate socialism espoused by his managing editor.[9] Considering Angoff's additional handicap while writing the *Portrait from Memory*—having to look back toward the 1930s through the horrible slaughter of European Jews during the Second World War—one can understand the harshness of his ten-page chapter on Mencken and "The Jews."

Nevertheless, in 1956 Angoff displayed vindictiveness by marshalling selected data and suggesting that an old colleague harbored some "deep-seated anti-Semitism" because of his "strange behavior during the Hitler madness."[10] At one point Angoff even insisted that Mencken wrote "nothing" against the Nazis or the "Germans as a whole."[11]

This overriding concern with Mencken's reluctance to join the anti-Nazi crusade after early 1933 characterized Angoff's previous reprovals, but those

5. Carl Bode, *Mencken* (Carbondale, 1969), pp.181, 228-29, 327, 335, 339. Edgar Kemler's hypercritical work, *The Irreverent Mr. Mencken* (Boston: Little, Brown, 1950), was of little help. Mencken's fragmentary memoirs covering the period *(Heathen Days, 1890-1936* [New York, 1943]) offer virtually no relevant information.
6. *Supra,* n.3.
7. *Ibid.*
8. Charles Angoff, *H. L. Mencken: A Portrait from Memory* (New York, 1956), pp. 161-69.
9. Bode, *Mencken,* pp. 236ff.; also Manchester, *Disturber of the Peace,* p.260.
10. Angoff, *Mencken,* p. 163.
11. *Ibid.,* p.164.

had been noticeably more judicious. In the *North American Review* of late 1938, for instance, the aroused Jewish-American employed most of the data used later in the *Portrait*. "Does Mencken's interest in honor and decency stop at the Rhine?" he asked, challenging his former mentor to condemn Nazi oppression publicly.[12] He prefaced that remark, however, by applauding both Mencken's defense of free speech and his willingness to let others criticize his views.[13] Moreover Angoff said: "In all probability Mencken is not anti-Semitic, despite these and other incidents and despite the occasional statements in his works that Jews as a class have bad manners."[14]

What, then, was Henry L. Mencken's "strange behavior" after early 1933? What created it and the ensuing reaction that within a few years toppled an old idol of American intellectuals?

Mencken's apparent insensitivity to the depression of course must be considered as an underlying factor; the sources leave no doubt that the economic disaster tested the honorable gadfly's social consciousness and exposed him as a less-than-enviable model for most reformers. Regardless of the German and Jewish questions, Mencken's intensifying reaction against the New Deal would have spurred much resentment among intellectuals after early 1933.[15] Basically the conflicting stance rested upon Mencken's position as a member of a prominent old Baltimore family, a position rooted in political conservatism and sense of *noblesse oblige*. A third generation German-American, he was born in Baltimore in 1880 and entered journalism there about nineteen years later, after refusing to attend college. Baltimore remained home and society despite ventures after 1908 into the nearby publishing world of New York City.[16]

Closely related to this heritage was another underlying source of estrangement—Mencken's fascinating but obsessive style of expression. An editorial of the *New York Times* described it well in October 1933, while commenting on Mencken's retirement after ten years of editing the *American Mercury:* "For years Mr. Henry L. Mencken has been a useful irritant. If he has often given pain, he has promoted the function of thought and opinion. By burlesque, by purposed exaggeration, by a wild gayety and joy of battle he got himself a hearing."[17] The style embraced far more than literary technique, however; it was not merely a skill that could be learned and easily modified to fit prevailing climates of opinion. It sprang from personal character and social philosophy. It reflected love for verbal combat more than concern for the problems of ordinary people. Well into the 1930s, when Mencken began recognizing the political naivete and social insensibility accumulating from the practice, he seemed to

12. Charles Angoff, "Mencken Twilight," *North American Review* 246 (Winter 1938–39): 232, 216–32.

13. *Ibid.*, p.227. Angoff did suggest that Mencken's "defense of the Bill of Rights could have been more vigorous" at times (*ibid.*). The militant anti-Nazis were hard to satisfy in the 1930's and early '40s.

14. *Ibid.*, p.228

15. Manchester, *Disturber of the Peace,* pp. 256ff., covers the subject lucidly.

16. *Ibid.*, pp. 1ff.; Bode, *Mencken,* pp. 9ff. Manchester offers more detail about Mencken's character and background, and presents a more-balanced profile.

17. *New York Times,* October 7, 1933, p. 14. The biographies, especially Manchester's, capture the satirical bent, but Mencken's letters offer the best evidence of how habitual the style was.

remain essentially what he had been in the Jazz Age of the Twenties—a short, stout, lordly jester with hair parted neatly in the center, sitting atop Olympus, perpetually chuckling over the human spectacle unfolding below. Chiding humanity as naturally depraved, he got much enjoyment from hurling satirical thunderbolts at both exploiters and "Puritan" reformers.[18] In the twenties it had been a great game; in the thirties, amidst depression and Hitlerism, it was not considered amusing by those many intellectuals now absorbed in a crusade for social justice and racial tolerance. Among the old idol's many sins, the reformers' public criticism after early 1933 usually listed snobbery, naivete, and insincerity.[19]

One may argue, of course, about Mencken's real feelings, about whether he was personally so lofty and unconcerned about national and world events. Nevertheless, he was insensitively facetious on many occasions. As late as November 21, 1938, he seemed unable to fully understand the somber temper of the new era while acknowledging to a friend that American editors currently seemed afraid of satire. "I think the reason is that very few people penetrate it," said Mencken. "Nine times out of ten it is taken quite seriously."[20]

Mencken's political conservatism and personal style, though influential in themselves, could have raised few questions about his attitudes toward Hitlerism if his German origin and apparent pro-Germanism during the First World War had not loomed in the background. Angoff's article in the *North American Review* in late 1938, for example, tried to help explain his former mentor's behavior by saying he was "a German by birth" and a man "of German parents."[21] Usually such public references to Mencken's lineage were more subtle in the Thirties—and scarce enough to be almost unnoticeable. Throughout the period, American intellectuals usually refrained from that sort of expression in order to avert public hostility toward German-Americans. But behind the scenes Mencken's national origin aroused evident suspicion.[22] Was there an abiding attachment to the Fatherland?

Although Mencken was a third-generation German-American born in Balti-

18. A letter to Ezra Pound, January 12, 1937, carried the image Mencken usually projected publicly: "The country reeks with frauds, and the only thing to be said in favor of them is that many of them are very amusing. It is a gorgeous spectacle, but it has no more significance than a duel between Tom cats. When it is over the poor fish who now sweat with hope will still be slaves, doomed to dull and ignominious toil for scoundrels, world without end" (Forgue, *Letters*, p. 413).

19. E. Merrill Root, "Aesthetic Puritans," *Christian Century* 54 (August 25, 1937): 1043–44, and Louis Kronenberger, "H. L. Mencken," *New Republic 88* (October 7, 1936): 243–45, illustrate the point.

20. Letter to Roscoe Peacock, in Forgue, ed., *Letters*, p. 428.

21. Angoff, "Mencken Twilight," pp. 223, 228.

22. Notice Mencken's letter to Carl Van Doren, September 1, 1936. Commenting on the critics' charges that he had been pro-German during the war, he said he had always "made it a point to take such things lightly. . . . I should add, of course, that as soon as my hands were free I did my best to cave in their literary skulls" (Forgue, ed., *Letters*, p. 408). Also see the casual reference to the question of Mencken's pro-Germanism in the war, in "Books," *Time* 27 (May 11, 1936): 85. For a rare public reference to Mencken's "German background," see the intercultural-tolerance literature by Rachel Davis-DuBois and Emma Schweppe, eds., *The Germans in American Life* (New York, 1936), pp.103–105. The movement to avert repetition of the anti-German frenzy of 1914–19 is summarized in Dean Banks, "Creating an 'American Dilemma': The Impact of Nazi Racism on American Intergroup Relations, 1933–1940" (Ph.D. diss., University of Texas, Austin, 1975), Chap. IX, *et passim*.

more, his cultural tastes were indeed quite German as Hitler rose to power. His continuing social position in Baltimore among German-speaking friends; his love of German music and philosophy, of good German beer and *gemütlichkeit*—all of these indicate more than the "intellectual" attachment ascribed by one scholar in 1948.[23] William Manchester came closer to the evidence when he told of Mencken's trip in 1912 to the Germany of his grandfather. Before leaving Munich, said Manchester, an entranced H. L. Mencken "had so pledged his soul to his dream of Bavarian culture that no war, not even a Hitler, could ever shake him awake."[24]

Still, there is no evidence suggesting Mencken was ever a cultural nationalist before 1933. Everything points to the contrary. Though his public and private expression reveals little about his attitude toward German-American organizations, he consistently displayed scorn for chauvinism and emotional group behavior of all sorts. German racialism held no more appeal than Jewish nationalism or 100%-Americanism.[25]

This was the Mencken who faced the ordeal of the First World War and emerged from it not altogether unscathed. Certainly his public and private actions after late 1914 were those of a man defending the German nation against mounting attacks in America and abroad, but the actions do not wholly support Bode's and Manchester's generalizations. Mencken was neither an indiscriminate "apostle of German culture" nor a spontaneous "advocate of the German Kaiser against the British Crown."[26] To be sure, he disdained English haughtiness and imperialism ("pecksniffery"), much as his friend Theodore Dreiser did. The two had great fun cheering the Germans on before the United States entered the war in April 1917.[27]

Basically, however, Mencken challenged the English propaganda blitz which after late 1914 began inflaming American opinion against the German "Hun."[28] Above all he scorned the idea that the Germans as a whole were demons spewing forth from some dark European pit. In November 1914, for instance, appeared his "The Mailed Fist and its Prophet," an essay commissioned by the *Atlantic Monthly* to help clarify the causes of the war. At length it distinguished between the laudable German civilization of the late nineteenth century and the cocky nationalistic elite, the "new cult of efficiency," rising after the early 1890s under a Nietzschean banner.[29] As Mencken explained in a letter to the editor of

23. Dieter Cunz, *The Maryland Germans: A History* (Princeton, 1948), pp. 410–14. Cf. *supra*, n.16.
24. Manchester, *Disturber of the Peace*, p.69.
25. The biographies and letters exude Mencken's disdain for American super-patriotism; the distaste for Jewish nationalism will receive treatment below.
26. These are Bode's characterizations (*Mencken*, pp. 108ff.), which agree with Manchester's treatment of the subject (*Disturber of the Peace*, pp.88ff.). Forgue's edition of the *Letters*, pp. 45ff., is necessary for a balanced evaluation of Mencken's "pro-German" response, much of which was actually in response to American and English attacks on Germany. The weakness of the biographies lies basically in their lack of chronology, the failure to trace the interaction between Mencken and the anti-Germans as it developed—in short, the failure to explain clearly enough that Mencken's sentiment *grew out of the interaction itself* to a great extent.
27. See especially the letter to Dreiser, April 22, 1915, in Forgue, ed., *Letters*, p.67.
28. This was at the heart of Mencken's "pro-Germanism" by mid October 1914. See the letter to Ellery Sedgwick, October 10, 1914, *ibid.*, p.52.
29. Mencken, "The Mailed Fist and Its Prophet," *Atlantic Monthly* 114 (December 1914): 598–607; Forgue, ed., *Letters*, pp.49–54. Compare with Manchester's comment on the article (*Disturber of the Peace*, p. 88). Also, notice the typically Mencken ending of the article.

the *Monthly,* the article showed how Nietzsche "poisoned" Germany's future "rulers" and how "public opinion, in Germany, runs from the top downward."[30]

Rising American anti-Germanism and war fever, however, gradually left no room for argument. The usually irrepressible Mencken, bombarded by Anglophiles within weeks after the war began, soon had to defend not only Germany, but also his own right to free expression. And he did so in his usual provocative style. About the time the *Lusitania* was sunk by a German submarine in May 1915, for example, he offered the *Atlantic Monthly* a farce about a German conquest of the United States and "the subsequent increase in civilization." When the editor later suggested the prevailing climate of opinion dictated a delay in publication, Mencken agreed. "I don't want to appear as a spokesman of Germany," he said, "for I am an American by birth and the son of native-born Americans. Nor do I want to appear as yielding an inch to the super-patriotic fustian which now goes 'round. Such fustian seems to me typical of the United States."[31] Mencken's other letters at the time showed growing bitterness toward "the dangerous hysterias of democracy."[32]

By late 1917 the anti-German frenzy had torn away Mencken's outlets for free, democratic expression—and hardened his elitist distrust of public, democratic opinion. It seemed indeed that the American masses and most of their leaders were creatures of instinct rather than citizens of discriminating intellect.[33] Though he apparently refrained from saying it explicitly, the besieged patrician undoubtedly questioned if there really was much difference between American character and German.

Still, Henry L. Mencken remained a loyal critic of his native democracy, despite continuing allegations that he held a "divided allegiance." Responding to one such charge on August 30, 1918, he left a pithy summation of his wartime sentiment. It was erroneous, he wrote, to assume one was loyal to Germany because one "stood against the United States' favoring England." Declaring he had no friends or relatives in Germany and harbored no loyalty to that country, Mencken explained that he simply believed it was dangerous to the United States to allow events to pass without criticism. "True enough," he said, "it doesn't pay to be honest in that way, but it at least caresses a man's vanity."[34]

As Hitler moved toward power in the 1920s and early '30s, Mencken hardly fit the description of a man who could be expected to help mobilize an anti-Nazi crusade. True, he was soaring to the peak of intellectual popularity and influence, largely as editor of the magic carpet *American Mercury,* which he and a Jewish-American friend and publisher, Alfred Knopf, had woven in 1924. This influence created an idol whom many young intellectuals identified with their

30. Letter to Ellery Sedgwick, September 12, 1914, in Forgue, ed., *Letters,* p.51.
31. To Ellery Sedgwick, May 22, 1915, *ibid.,* pp. 71–72.
32. To Sedgwick, December 29, 1915, *ibid.,* p.76.
33. See especially the letter to Louis Untermeyer, "late" July 1917, *ibid.,* pp. 108–109; also Bode's perceptive comment, *Mencken,* p. 130; and Mencken's *Diary, Berlin, February 1917.* pp. 1–2, the Library of Congress, No. 1579.
34. To Fielding H. Garrison, August 30, 1918, in Forgue, ed., *Letters,* p. 128. The Diary, *supra,* n.33, provides evidence of Mencken's balanced attitude toward Germany. Covering his trip to Europe as a correspondent and his return, February 1 to March 14, 1917, it is a copy of the original that Mencken says was damaged while buried in his backyard to secure it from American spyhunters. It harmonizes authentically with other writings.

own spicy brand of liberalism. But that was illusory, particularly if they assumed their hero would begin flailing the Nazi devils abroad as he had the demons at home.

As 1933 approached, Mencken made it clear he had not forgotten the previous scorching endured when he tried to intervene in a "German Question." In 1928 he received an inquiry from an official of the American German Concord Society, a small but elite group in Michigan who proudly regarded Mencken as a chief example of German influence on American civilization. In the Society's *Yearbook, 1928*, the official wrote: "Characteristic of Mencken is his reply to my inquiry as to his ancestory: 'I hope you will mention the fact that I think of myself as a good German, and that though I have been accused of many grave crimes and misdemeanors, no one has so far accused me of not being sufficiently pro-German during the late war and after.'"[35]

The Society's *Yearbook* displayed an important cultural trend in the United States at the time. Shaken by outbursts of racial-ethnic bigotry during the war and the early 1920s, a broad front of American leaders was mobilizing public opinion behind concepts of cultural pluralism or intercultural tolerance and understanding. The immigration laws of the 1920s aided this tolerance front by cutting off the massive flow from abroad, allowing social progressives to begin convincing the more intolerant, patriotic groups that the Melting Pot's future was secure without anti-alienism and forceful assimilation. In the late 1920s and early '30s, under the spreading umbrella of the tolerance movement, German cultural revival and open cultural pride surged throughout the United States. In this shifting social climate, Mencken again revealed some bitter memories in May 1931 through the *American Mercury*. Commenting briefly on German-American behavior during the war, he said:

> The Germans who held their ground . . . , making no effort to conceal either their race or their feelings, are generally respected today, and even suffer from a certain excess of friendly attention. But those who put on false faces and began waving the flag—happily, I believe, a minority—are now held in contempt by both Anglo-Saxon Americans and their own people. . . . They all know in their hearts that they were cowards and mountebanks, and they also know that everyone else knows it.
>
> My preference among such minority peoples is for those who face the music without protesting too much. What confronts them is less mere ignorance and malignancy than a sempiternal law of human nature.[36]

Continuing the article, Mencken added a clearer personal note. Letters and clippings were still arriving weekly, he said, "damning me as a Hun, urging me to go back to the Kaiser's chain-gang, and deriding my surname." Nevertheless, he told readers, such prejudice seemed inevitable and "in a real sense, proper" within a nation comprising "self-respecting and clearly differentiated" ethnic groups.[37]

The same article dealt primarily with another issue woven inextricably into

35. Concord Society, *Yearbook, 1928* (Detroit, 1929), pp. 13–14.
36. Mencken, "The Curse of Prejudice," *American Mercury* 23 (May 1931): 126. Banks, "Dilemma," Chaps. IX–XIV, covers the American German cultural revival.
37. Mencken, "Curse of Prejudice," p. 126.

Mencken's later relationship with Hitlerism—America's Jewish Question. It was one of his rare public statements on the issue during the Thirties, and by far the most forthright. Again it points to the continuity of character and attitude between the First World War and the Second. In the article, titled "The Curse of Prejudice," Mencken embraced cultural pluralism by defending at length the right of Jews—and German-Americans and Negroes—to maintain ethnic pride and identity. He realistically acknowledged the intergroup tensions inhering in such cultural diversity, tensions springing fundamentally from an "incurable aversion" to strangers. The aversion was "one of the primary facts of human nature, like the sex urge or fear of the dark." It could be "diminished by familiarity or concealed by policy," but never eliminated. "Personally," said Mencken, reflecting his longstanding relationships with many talented Jews, "I hate to have to think of any man as of a definite race, creed or color; so few men are really worth knowing that it seems a shameful waste to let an anthropoid prejudice stand in the way of free association with one who is."[38]

At the same time, however, the article reflected another side of Mencken's relationship with Jewish-Americans. He had shown it several times before in private letters: the pun in May 1923 about Rabbi Stephen S. Wise and Justice Louis Brandeis being "Anglo-Saxon Chauvinists"; the similar jab at Wise in May 1926, ranking him just above Calvin Coolidge as the "greatest living American."[39] And then there had been the more serious letter of April 30, 1931, reproving a man who had recently stereotyped Jews in a letter to the *American Mercury*. Lauding the intelligence and charm of some Jews, Mencken told him, "My own feeling indeed is, that taking one with another, Jews average much higher than Americans. However, I agree with you that the unpleasant ones are unpleasant almost beyond endurance."[40] In the article he elaborated upon what he considered "professional Jews" who needlessly aggravated anti-Semitism by their hypersensitive reactions. He had Stephen Wise and other vocal nationalists in mind while suggesting that the considerable security Jews enjoyed in the United States actually caused "the more truculent and foolish among them to seize upon every fancied slight, and to convert it into a deliberate insult."[41] He was thinking of social reformers like Wise when he noted the professional Jews' "common" adherence to "various kinds of political radicalism."[42]

Though Mencken wrote all of this in a calm, understanding tone, he projected patrician disdain for social and political agitators—for mass emotionalism generally. Cyrus Adler, then President of the American Jewish Committee, could have written most of the article and felt quite comfortable with it, particularly with the comment that the professional Jews' "shindigs" disturbed and damaged "decent Jews."[43]

On the eve of Hitler's dictatorship, a fifty-two-year-old Henry Mencken had

38. *Ibid.*, p. 125.
39. To George Sterling, May 23, 1923, and Upton Sinclair, May 29, 1926, in Forgue, ed., *Letters*, pp. 250, 294. Notice that Mencken made no attempt to conceal his feeling from leftists like Sinclair.
40. To Roscoe Peacock, *ibid.*, pp. 328–29.
41. Mencken, "The Curse of Prejudice," p. 124.
42. *Ibid.*, p. 125.
43. *Ibid.* For Adler's attitudes see Banks, "Dilemma," Chaps. II, V.

become essentially what he would remain throughout the 1930s. Influential, immensely self-confident, politically conservative, consciously German-American, intransigently suspicious of mass behavior—he was all of these. He was also blatantly irreligious, and had been since youth. The Nazi assault on Christian civilization would not alter his belief that religion was "unimportant" in determining the trend of human events.[44] Of course this raises the question of Mencken's attitude toward Nazi oppression of the churches in the Thirties, a question not clarified by Mencken himself. One can only suggest that while he probably was not aroused much by the attack on organized religion per se, he undoubtedly did not applaud the attack as his friend Theodore Dreiser did.[45] Henry Mencken believed too deeply in basic civil liberties to sympathize with the suppression of religious freedom.

Similarly, while scorning political radicalism in the Thirties, Mencken remained almost silent about Nazi assaults on German Socialists and Communists. But, dispelling suspicions that he approved of such oppression, he consistently championed the right of free speech for American radicals—including Nazis and Communists. His bold defense of the American Civil Liberties Union after mid 1936 helped get himself branded "Red" by some zealous patriots.[46] On the other hand, the charge of "Red-baiter!" boomed at him from the fervid anti-Nazi camp. Writer Louis Kronenberger, using that label in the *New Republic* in October 1936, compared Mencken to Nazi Minister of Propaganda Joseph Goebbels and declared that Mencken endlessly extolled "the Junker system."[47]

Such outcries helped confirm Mencken's patrician bias against an emotionally inclined public opinion, and helped make him more wary of being drawn into public debate. But they also encouraged the faithful civil libertarian to keep cautioning both leftists and conservatives that extremists, whether Communists or Fascists, were merely fangs of the same menacing jaw.[48] Probably the most precise statement of his attitude came in a letter to Upton Sinclair, printed in the *American Mercury* of June 1936. Mencken told his longtime debating partner, who had just questioned his political sympathies:

> I am against the violation of civil rights by Hitler and Mussolini as much as you are, and well you know it. But I am also against the wholesale murders, confiscations, and other outrages that have gone on in Russia. I think it is fair to say that you pseudo-communists are far from consistent here. You protest, and with justification, every time Hitler jails an opponent; but you forget that Stalin and company

---

44. See Mencken's statement in December 1939, which mentions the unimportance of religion in his early family life: Forgue, ed., *Letters,* p. 441. The biographies and letters reflect the attitude throughout.

45. See Banks, "Dilemma," Chap. XI, n. 87.

46. Mencken, "The Reds and Civil Rights," *American Mercury* 38 (July 1936): 284–89, and "The American Civil Liberties Union," *ibid.,* 45 (October 1938): 182–90, illustrate the action. Also see Mencken's "The American Future," *ibid.,* 40 (February 1937): 129–36, a good-natured defense of American "Pinks" and Russian-Jewish immigrants who tended to sympathize with the Soviet Union. Consider that these were written when the *American Mercury* itself was intensely anti-Communist. Notice the typically Mencken comment about being listed in Elizabeth Dillings' *The Red Network* (cited in Manchester, *Disturber of the Peace,* p. 269).

47. Louis Kronenberger, "H. L. Mencken," *New Republic* 88 (October 7, 1936): 244.

48. Mencken, "The American Future," pp. 129ff.

have jailed and murdered a thousand times as many. It seems to me, and indeed the evidence is plain, that compared to the Moscow brigands and assassins, Hitler is hardly more than a common Ku Kluxer.[49]

With Mencken's civil-libertarianism and patrician biases in focus, there is less risk of being mislead by his response to the central Jewish Question after early 1933. Here of course one tends to judge his action, or lack of action, more severely; for into the later Thirties Hitlerism – the image of brutal oppression – meant essentially anti-Semitism. An American leader's attitude toward Christians and radicals meant little to most social progressives if he appeared to condone by word or by silence the mounting threat to Jews. To reject anti-Semitism was to strike at the heart of Hitlerism. And above all it was important that influential German-Americans like Mencken drive the message home to the Hitlerites. Not only might German-Americans be heard abroad when others were ignored, their voices also would help assuage Jewish-American fears of rising prejudice and help overcome growing suspicion that German-Americans were again extending loyalty to the Fatherland. To be sure, Henry L. Mencken carried great responsibility, and must be judged accordingly. That requires, however, that he be seen and understood within his own complex setting.

As Owens and Manchester have indicated, Mencken initially was a captive of his jocular personality and his experience during the First World War. For a while he regarded Hitler and his cohort as "fools" or "lunatics" who surely were too incompatible with other Germans to stay in power. At the same time, he irritated Jewish friends by joking about Nazi anti-Semitism. He felt the atrocity stories coming from Germany were "'probably at least nine-tenths bogus.'"[50] In this last respect he agreed with his correspondent in Germany, S. Miles Bouton, who until 1934 sent reports denying Nazi atrocities while lauding Hitler's potential for leadership and invoking the harsh Versailles peace settlement to explain trends in the Fatherland.[51]

With minor exception, however, Mencken's contempt for the Nazis was expressed privately. Obscured by his witty mannerism, the sentiment fell far short of satisfying the more militant foes of Hitlerism who extolled both the morality and the apparent forcefulness of public action against the Nazi regime. Above all, the *American Mercury* and its editor had to stand forthrightly – not avoid

49. Both Sinclair's and Mencken's letters were printed in "The Open Forum," *American Mercury* 38 (June 1936): iv, vi–vii; the quotation is from p. vii. Also Forgue, ed., *Letters*, 402ff. In late May 1936 Mencken wrote to Sinclair, displaying the usual wit: "Readers, I take it, enjoy such debates. In any case, your enemies will be pleased by what I say to you and mine will be pleased by what you say of me" (*ibid.*, p. 407).

50. Manchester, *Disturber of the Peace*, p. 262.

51. Bouton, an important influence, became an active anti-Nazi after leaving the New Germany in the summer of 1934. He had been in Berlin since 1920 as a correspondent for various news services. For background see the letter from Bouton to William Allen White, August 10, 1937, William Allen White papers, C-272, "Bouton," Library of Congress. According to one writer, Bouton, "a Mencken find" and a special correspondent for the Baltimore *Sun* from 1921 to 1934, "had been Hitler's friend in the beer-hall days" (Willard R. Espy, "The Baltimore 'Sun' Goes Down," *Nation* 148 [February 4, 1939]: 145). For the trend of Bouton's reporting see: Bouton, "False News From Germany," *American Mercury* 27 (September 1932): 30–37; *New York Times*, March 26, 1933, p. 28; Bouton, "Germany Sinks Into Slavery," *American Mercury* 32 (May 1934): 56–66, and *infra*, n. 66.

the crucial issue as the magazine obviously was doing in early 1933.[52] Therefore the pressure on Mencken came quickly—much as in the First World War. The situation was rather foreboding after Rabbi Stephen Wise and the American Jewish Congress began mobilizing mass anti-Nazi demonstrations in New York City in mid March, 1933.[53]

But this time Henry Mencken would not be drawn into distasteful public confrontation. By no means could he join an emotional crusade against Hitler's regime led by those "professional Jews" and "political radicals." Besides, it seemed premature to condemn the German government openly; as many opinion-makers were saying at the time, Nazi racial extremism could not last. Still, the pressure in the great metropolis was there, and Mencken had to commute regularly into New York City from Baltimore to guide the *Mercury*. He faced a dilemma.

And it sprang not only from the anti-Nazi movement in New York, but from the strong pro-German reaction as well. Though not a German-American chauvinist, Mencken was a hero of the resistance during World War I. Therefore it was not strange that Colonel Edwin Emerson, an old acquaintance who had promoted the German cause during the war, notified Mencken in May 1933 of his election to honorary membership in the Friends of Germany, an organization later blending into the German-American Bund.[54] Rejecting the offer, Mencken likely astounded Emerson by blasting Hitler and his associates for their "'extraordinary imbecility'" and "'completely lunatic'" behavior. Comparing Hitler to an Imperial Wizard of the Ku Klux Klan, he declared:

> For ten years, thanks to the hard and intelligent work of both Germans and Americans, the American attitude toward Germany has improved steadily, and there was a growing disposition to take the German view of the 'reparation' obscenity, and of the whole treaty of Versailles. But now . . . Hitler and his associates have thrown away the German case and given the enemies of their country enough ammunition to last for ten years.[55]

Facing an untenable situation in the City, Mencken moved to extricate himself so that he could remain in the safer haven of Baltimore. By April 6, 1933, he had begun pressing seriously toward retirement from the *American Mercury*, a break he had been considering for several months. In October he and Knopf announced his amicable departure.[56]

With escape from New York City in sight, Mencken composed a book-review

---

52. Between March and October 1933 the *American Mercury* seemed almost oblivious of events in Germany, but Angoff no doubt reported the situation accurately when he said Mencken resisted the printing of anti-Nazi material because he thought Hitler would soon lose office (*Mencken*, p. 164).

53. See Banks, "Dilemma," Chap. V.

54. With the following citation, see the comment on Emerson in Oetje John Rogge, *The Official German Report* (New York, 1961), p.329.

55. Cited in Manchester, *Disturber of the Peace*, p. 263. See Banks, "Dilemma," Chap. X, for the defense of Hitler's New Germany within New York City's German-speaking community. The defensive attitude sprang largely from long-standing resentment of anti-Germanism during World War I and in the peace-making afterward.

56. Forgue, ed., *Letters*, pp. 363–64, 367; *New York Times*, October 6, 1933, p. 15; Bode, *Mencken*, pp. 228–30.

essay on the German and Jewish Questions, and scheduled it for publication in December's *Mercury*. Titled "Hitlerismus," the essay seemed to him a realistic appraisal when completed in October. Knopf, however, cautioned that it would offend some of the magazine's supporters. Charles Angoff, still the managing editor, reacted more bluntly. Mencken reportedly told him that as a Jew he was too emotionally involved in the matter.[57]

Viewed in retrospect, the article of December 1933 seems astute and judicious overall, though a few rather facetious remarks could have been omitted without weakening its content. Hitler's emergence, Mencken began, was "implicit in the Treaty of Versailles," which made the German masses "ripe for demagogues." Tracing Hitler's rise to power, Mencken acknowledged him as a demagogue skillful enough to match America's William Jennings Bryan or England's David Lloyd George. "It is thus no wonder," he said, "that they [Germans] wallow in his terrific eloquence, and forget to notice that what he says is often absurd."[58]

Dispassionately the article suggested Hitler's anti-Semitism was "certainly nothing to marvel over." Anti-Semitism was latent all over Western Europe, and also in the United States; it tended to flare up during "public turmoils and threats of public perils." Despite "the Jew's" usual loyalty to the country in which he lived, his cultural distinction and known tendency toward international affiliation marked him as a scapegoat for "patriots who can't see beyond their own frontiers." Therefore: "In Germany, as in Poland, Austria and France, he has been made use of by demagogues for many years, precisely as the colored brother has been made use of in our own South."[59]

Mencken went on to emphasize, however, that "the Jew" had become especially vulnerable in Germany after the war because of "his entanglement with Bolshevism." Though the entanglement was largely "imaginary" and at best "much exaggerated," there was enough evidence of it in Germany and the Soviet Union to arm the demagogues. "There were plenty of Jews among the Moscow master-minds, and they had proved their puissance by putting down Jew-baiting in Russia, for long the chief sport of the Christian masses there." Hence the Führer finally was able to convince "his customers" that "even the Jewish bankers, judges, doctors and store-keepers of Berlin were suspicious characters, though actually nine-tenths of them were quite as orthodox, politically speaking, as the men of their several classes in New York."[60]

The consequence of Hitler's success, said Mencken, "was certainly not creditable to the German people, nor indeed to the human race in general." When the "paranoiacs on the lower levels" were "turned loose," they instantly engaged in "extravagant barbarities" against innocent and helpless people—"some of them Jews but probably more of them Christians, and very few of them Communists." Had Hitler been able to confine the Brown Shirts' attacks to the Communists, said Mencken, "there would have been no complaint in the United States and very little in England, for the Communists openly condone the even worse

57. Bode, *Mencken, passim,* deals fully with Mencken and Knopf's relationship, which remained quite good despite the controversy over Hitlerism. Angoff, *Mencken,* p. 227, seems credible.
58. Mencken, "The Library—Hitlerismus," *American Mercury* 30 (December 1933): 508, 506–10.
59. *Ibid.,* p. 509.
60. *Ibid.*

brutalities that have gone on in Russia, and would repeat them all over the world if they had the means." Nevertheless, the barbarities "shocked" the world and thrust Hitler into a "very serious and dangerous" position.[61]

How long would the "orgy" last? Would it collapse under its own weight or "be put down by external force?" asked Mencken. If external force was required, he predicted, the world faced another war. True, the economic boycott was available, and was less dangerous than military pressure against Germany. But the boycott itself was an outside threat that probably would strengthen Hitler's leadership. "Moreover," he predicted, "such a boycott would be resisted elsewhere in the world, and here in the United States it might easily launch a formidable anti-Semitic movement, especially in view of the fact that many of the current Jewish leaders in this country are very loud and brassy fellows, with an unhappy talent for making the *Goyim* Jew-conscious."[62]

Eliminating other possible solutions, Henry Mencken ended with a profession of faith in the German people. Hitler would change, he said, or be turned out of power. To support the belief he cited examples of previous changes of attitude in America, including the public's eventual reaction against the Ku Klux Klan in the 1920s.[63] This analogy between Nazi racism and the Klan characterized Mencken's analysis throughout 1933.

With little modification, the book-review essay remained Mencken's article of faith after 1933. Still plagued by anti-Nazis on one hand and watched by German-speaking Americans on the other, he tried to avoid further entanglement in the growing public controversy over Nazi brutality. He would not be provoked into "bellowing" at his critics; he felt too competent to allow others to upset him and thus control his public responses.[64] When he occasionally expressed himself in the *American Mercury,* it was to denounce Nazism and Communism in general terms, usually while defending free speech. In private correspondence he continued scoring Hitler as an "idiot" or "lunatic," but he still recognized the Führer as a skillful demagogue exploiting German discontent.[65]

Privately Mencken kept expressing faith—or hope—in the virtue of non-Nazi Germans. It became clear after 1933, however, that his "German people" meant essentially German leaders, not the emotional masses. This was consistent with both his own elitist convictions and his long-standing familiarity with the German political character. If he had placed any trust in Germans generally, it likely evaporated after S. Miles Bouton, a well-informed friend, turned against the Reich in 1934. In October 1934 the *American Mercury* carried Bouton's

61. *Ibid.*
62. *Ibid.*, p. 510.
63. *Ibid.*
64. With following citations, notice Mencken's counsel to Jim Tully in February 1933: "My very thorough conviction is that an author *should never show such heat.* Cabell [James] has almost ruined himself by bellowing against the men who don't like him. . . . You are far too competent a writer to let such fellows upset you in the slightest" (Forgue, ed., *Letters,* p. 359). Compare that especially with Mencken's comment in 1941 about Dreiser's error in allowing Jewish critics to "exploit" him (*ibid.*, p. 456).
65. The letters to Theodore Dreiser, January 15, 1935, and Benjamin De Casseres, July 25, 1935, in Forgue, ed., *Letters,* pp. 386, 392, say it concisely.

article "Why Germany Endures Hitler," a long report emphasizing that anti-Semitism had thrived in Germany long before Hitler's advent. "Anti-Semitism, the chief point in the Nazi leader's program, appealed to a greater part of the German people than did any other point," insisted Bouton, giving some vivid examples.[66] A few months earlier, Mencken already had echoed a thought that persisted among a great many American observers until Hitler's annexation of Austria in March 1938: "My guess is that Hitler himself will be bumped off very soon. In the long run the Junkers are bound to come back. . . . Soon or late they'll clean out all the political quacks and restore the monarchy. My belief is that every really intelligent German longs for them to cut loose."[67]

After the annexation of Austria Mencken apparently grew less certain about the attitudes of his "German friends in the opposition," as contrasted with "the people" who tended to crave "a man on horseback."[68] During a trip to Germany in June 1938, his first since 1930, he wrote to a friend: "The situation of the Jews is dreadful. They are no longer roughed, but the pressure on them is terrific. All decent Germans seem ashamed of the business. But they insist they must get out. Where they are to go is not mentioned. The American consulate is jammed every day."[69]

Yet this insight into conditions in the Reich failed to stir Henry Mencken into public protest against Germany and its leaders, primarily because another contingency of Hitlerism had risen to keep the scales of action-or-inaction balanced. The European war Mencken had feared since 1933 was now quite possible—another war between Germany and England. True, this time both countries seemed a distasteful pack of wolves to Mencken, at least their leaders did.[70] But that was only more reason for the United States to isolate itself. Regardless of how Mencken felt toward Germans, he recognized two lessons of the previous war, lessons currently weighing upon the minds of other American intellectuals. Public attacks on the Reich, even if focused carefully upon Hitler's government rather than Germans as a whole, could stir mass emotionalism and possibly thrust America into a war. Similarly, such action and ensuing passion could ultimately produce another vindictive peace settlement.[71] Mencken still refused to support the anti-Nazi crusade. After the war began in late 1939 he regarded Hitler as the chief villain, but publicly battled against American

66. Bouton, "Why Germany Endures Hitler," *American Mercury* 33 (October 1934): 151–56.

67. Letter to Richard Beamish, July 7, 1934, in Forgue, ed., *Letters*, p. 377. As late as February 1937 Mencken publicly predicted Hitler would be out of office by April 1, 1941 (Mencken, "The American Future," p. 134).

68. Mencken acknowledged some friends in "the opposition" in the letter to Dreiser, *supra*, n.65; the *New York Times*, April 6, 1934, p.21, reported his statement, made upon returning from a trip to Europe, that people in Europe and the United States were looking for a "man on horseback" to relieve them of the responsibilities of liberty. Mencken had not visited Germany during the trip; however, the comment applied generally.

69. Cited in Manchester, *Disturber of the Peace*, p.289.

70. *Ibid.* Clearly, both Hitler and the English were opportunists in Mencken's view; his speculation in August 1935 is especially interesting (Forgue, ed., *Letters*, p. 393).

71. Mencken did not articulate this feeling as directly as many intellectuals did in the late 1930s; nevertheless he was acutely sensitive to mass emotionalism. Probably the best reflection of personal feeling was an article in 1937 asserting that men by nature thrilled to war, despite pacifist claims to the contrary: Mencken, "Peace—When Human Nature Changes," *Reader's Digest* 30 (June 1937): 55–56, condensed from *Liberty* (December 26, 1936).

support of England. Hitler's declaration of war on the Unites States in December 1941 persuaded him that military action probably was justifiable; still he seemed, in his letters, unable to take the Japanese or German threat seriously.[72]

While responding cautiously to Nazi oppression abroad after 1933, Mencken continued to resist personal entanglement in the growing controversy at home over German-Americans suspected of "dual allegiance." Publicly and privately he offered little evidence he was even aware of a German-American Question similar to that of the First World War—though he was of course. Subtly that consciousness broke through in the *American Mercury* of February 1937, as suspicion of German-American disloyalty threatened to rise with the war-scare. Commenting briefly on the natural tendency of American nationality groups to resist assimilation, Mencken told readers: "The Germans who came in during the third quarter of the last century were found, in 1917, to be still mainly Germans. . . . It is thus no wonder that the later immigrants continue to radiate the scents of their forsaken homelands, and occasionally shock the general public with their exotic fancies." Such cultural affiliation was "human nature," and would prevent full assimilation for generations to come. Nevertheless, Mencken continued, America was progressing quite well; the nation's future looked bright.[73] Apparently this essay was a contribution to the movement for American intergroup tolerance and understanding then swelling as a reaction against Hitlerism and its effects.

Like others in the tolerance front, Mencken knew that a good many German-speaking Americans, still resentful about past treatment, identified emotionally with the proud New Germany Hitler was lifting from the debris of war, peace settlement, and depression. Mencken, like most other tolerance-makers, understood that defensive attitude and refrained from criticizing it.

By late 1940, however, a gulf lay between the old intellectual and America's German Element. It was evident in August after the editor of the *American Mercury,* Eugene Lyons, wrote asking Mencken for an article. Lyons suggested, as one of two possible topics: "A piece under some such title as 'I like the Germans,' telling why. There is so much undifferentiated German-baiting these days—and more sure to come—that an article giving them credit for their virtues and achievements and *Gemuetlichkeit* and human qualities, etc. is well worth doing." Mencken replied: "The second [suggestion], unhappily, is not up my alley, for I really don't like the Germans at all. I admire them vastly, but I seldom forgather with them. They have all of the unpleasantness of really efficient people. I am, in a way, one of them myself, but I have become Americanized enough to dislike their cocksureness."[74]

Unquestionably Mencken's taste for certain Jews also soured a great deal

---

72. Bode, *Mencken,* pp. 339, 357–58; Manchester, *Disturber of the Peace,* pp. 290–91; Forgue, ed., *Letters,* pp. xiii, 454.

73. Mencken, "The American Future," *American Mercury* 40 (February 1937): 135. Compare this with Mencken's dismissal of Fritz Kuhn and his "'Halloween Nazis'" (referred to briefly in Manchester, p. 289) and his flippant remark about "German" idealism (Forgue, ed., *Letters,* 393).

74. Lyons to Mencken, August 14, 1940, and Mencken to Lyons, August 19, 1940, Lawrence Spivak Papers, C-1, "Editorial Correspondence, H. L. Mencken," Library of Congress.

after 1933. Though he refrained from showing it publicly, the contempt for Rabbi Stephen S. Wise and other activists crept into his letters more frequently as the anti-Nazi crusade strengthened in New York City. In November 1933 he could still joke about leaders of the movement.[75] By late April 1934 New York City had become a "sea of troubles" for the eminent German-American who refused to join the public protest. "I hate the town and never go near it if I can help it," Mencken wrote F. Scott Fitzgerald on April 26.[76]

The distaste for Jewish agitators involved more than simple patrician disgust toward mass emotionalism, an attitude for which Mencken was well known. To some extent his criticism of Jews sprang from a feeling that prevailed even among upper-class Jewish-Americans throughout the 1930s. As Mencken told his old friend Benjamin De Casseres in July 1935, while Jews were stirring vigorous protest against a recent pogrom in Berlin:

> Seriously, I am still convinced that the uproar being made by the Jews in this country is doing them far more harm than good. A very definite anti-Semitic movement is gathering force behind the door, and whenever a convenient opportunity offers it will bust out. At that time you may trust me to mount the battlements and holler for the Chosen. Meanwhile, all I can say about Hitler is that he seems to me to be an idiot. That all other Germans are idiots I doubt gravely.[77]

At the time, Mencken had reason to believe an anti-Semitic movement threatened to erupt in the United States. German-speaking Americans were reacting against the "Jewish" boycott of Germany; right-wing extremists, accenting the charge "Jewish-Bolshevism," were building up to their fanatical outburst before the Presidential election of 1936. To the patrician mind, Jews who disregarded the danger and acted aggressively to mobilize anti-Nazi protest tended to verify the stereotypes used by the anti-Semites—particularly the charge that Jews were out to control American public opinion, and America itself.[78]

Stripped of this context, some of Mencken's private statements in the mid 1930s can be misleading. Consider, for instance, the sweeping comment on August 3, 1935, in another letter to Benjamin De Casseres. "My belief, often expressed, is that the Jews probably deserve their troubles," Mencken said, "but if you ask me to say categorically *why* they deserve them I can't answer you."[79] A hypersensitive critic could have taken that out of context and done damage with it—double damage if he happened to point out that Mencken said it just before the Nazis enacted the stunning Nuremberg Laws, isolating Jews from the social and economic life of the New Germany. But Mencken actually referred to the same Jewish-American protesters he had scored in the letter to De Casseres only a week earlier.[80]

Moreover, Mencken prefaced the sweeping comment of August 1935 with a

---

75. Forgue, ed., *Letters,* p. 371.
76. *Ibid.,* pp. 375, 374.
77. Letter to Benjamin De Casseres, July 25, 1935, *ibid.,* p. 392.
78. See Banks, "Dilemma," Chaps. IV, VI, *et passim.*
79. Forgue, ed., *Letters,* p. 393.
80. *Supra,* n. 77.

revealing, characteristic observation. A "really scientific" study of anti-Semitism was needed to replace the "bilge" already printed on the subject, he told De Casseres. "Those [items] written by anti-Semites accuse the Jews of crimes that are palpably imaginary, and generalize as idiotically as a Baptist evangelist. On the other hand, those written by Jews are full of sentimental blah."[81] This was H. L. Mencken in his usual dispassionate form. It probably is as close as one can get to the real man through his expression at the time.

As anti-Semitism intensified after 1935, however, even Mencken's private criticism of Jews abated considerably. The mounting domestic clamor about "Jewish-Communism" before the presidential election of 1936 apparently helped persuade the master of satire that the old witty reaction to Jewish affairs was becoming a bit insensitive. Greater restraint, at least, was demanded by the times; Mencken went a bit further and lent some aid to the intergroup tolerance movement. In February 1937 his comment in the *American Mercury* on ethnic cohesion and lingering sympathy for parent nations abroad embraced not only German-Americans and Italian-Americans, but also Russian Jews who had recently immigrated. "I see nothing remarkable, and certainly nothing disquieting," he said, "in the fact that so many Russian Jews keep their eyes on Russia, and are disposed to follow Russian mountebanks rather than our own. They will continue to do so until the last memories of the old home fade out of their race, and that will be many a year."[82] Mencken went on to assure readers that America was moving ahead quite well, regardless of such natural human weaknesses.

Mencken's growing sensibility toward Jews did not come easily, and it never sharpened enough to satisfy many critics. Publicly and privately the militant anti-Nazis kept up the pressure, keeping tension alive between themselves and the old idol.[83] Occasionally Mencken added some seasoning of his own, for instance by taking a German liner to Europe in June 1938—despite an intensifying boycott of German goods and services. Charles Angoff could not overlook that infraction while writing his critique of Mencken late that year.[84] Conversely, obvious Jewish-American support of Britain and France during both the rising war-scare and the eventual war did not please Mencken, though he said surprisingly little about it even in private correspondence.[85]

Nor did Mencken comment much on another disturbing matter: the willingness of some Jews to restrict the expression of American anti-Semites. He clarified his sentiment, however, in January 1941. Without acknowledging that

---

81. Forgue, ed., *Letters,* p. 393.
82. Mencken, "The American Future," p. 135. The growing sensitivity seems to correspond with Bode's comment about Mencken's relationship with Alfred Knopf after 1933 (*Mencken,* p. 230). Certainly the Mencken of the late 1930s was quite different from the one who quipped, in a letter to Benjamin De Casseres, September 7, 1935: "I hear that Hitler has offered the Governor-Generalship of Palestine to Streicher, but that Streicher has declined" (Forgue, ed., *Letters,* p. 395).
83. Angoff wrote in late 1938: Many of Mencken's old associates "have reasoned with him in vain so often that they have been inclined to give him up" ("Mencken Twilight," p. 231). This article itself contributed a great deal to the continuing tension.
84. *Ibid.*
85. Forgue, ed., *Letters,* p. 455, includes a rare statement in January 1941.

most Jewish elites had defended free speech vigorously between 1933 and 1941, he told a correspondent:

> . . . a man who believes sincerely that the Jews are a menace to the United States ought to be allowed to say so. The fact that he is wrong has got nothing whatsoever to do with it. The right to free speech involves inevitably the right to talk nonsense. I am much disturbed by the effort of the New York Jews to put down criticism. It seems to me that they are only driving it underground, and so making it more violent.[86]

About a week later, in another letter to the same person, Mencken offered similar criticism of "the Jews in New York," and reaffirmed his belief that "anti-democratic propaganda" should be permitted so long as it did not advocate violence. If law attempted to distinguish between "sound and unsound opinions," free speech would end, he counseled.[87]

From free speech, from the one diety Henry Mencken worshiped publicly and privately, came the maze of irony and paradox surrounding himself and many other German-American elites after early 1933. Free speech carried the right of public expression – the right of debate among pro-Nazis, anti-Nazis, and tolerance-makers. But it also carried the right to refrain from expression – the right to judicious restraint or silence. There were some, like Oswald Garrison Villard, whose weak attachment to German culture and staunch devotion to democratic ideals made them battle friend and foe alike for the right to pursue their beliefs publicly. But Henry Mencken was more conscious of his German origin, more politically and economically conservative, and much more reluctant to get into the sticky business of wrangling publicly with the militant foes of Hitlerism, particularly with Jewish-Americans. As Mencken suggested to a friend in April 1941, it was "politically" senseless to allow oneself to be drawn into such interaction.[88]

In Mencken's case this reticence never sprang from pro-Nazi sympathy or from any indiscriminate bias against Jews. A civil libertarian, he despised Hitler and his band of demagogues; a patrician, he, as many Jewish-Americans of his class, could never overcome personal contempt for seemingly "radical" Jews. All in all he was, as he once said, quite moderate for "'a German.'"[89]

---

86. Letter to Leon M. Birkhead, January 22, 1941, *ibid.*, p. 454.
87. *Ibid.*, p. 455.
88. Letter to Jim Tully, *ibid.*, p. 456.
89. Cited in Manchester, *Disturber of the Peace*, p. 263.

"Throwing the Stocking," A Gentry Marriage in Provincial Maryland

ALLAN KULIKOFF

THE MARRIAGES OF LÆTITIA YOUNG AND HER BROTHER BENJAMIN WERE among the highlights of the 1757 social season in Annapolis. These dual nuptials were reported in detail in the *Maryland Gazette:* "On Tuesday, last week, Mr. STEAD LOWE, was Married to Miss LÆTITIA YOUNG, Daughter of the late Honourable BENJAMIN YOUNG, Esq; Deceased: And next Day Colonel BENJAMIN YOUNG, (Mrs. Lowe's Brother) was Married to Miss MARY DULANY, youngest Daughter of the late honourable DANIEL DULANY, Esq; Deceased, of This City: Two very agreeable, virtuous and well-accomplished young Ladies."[1] Twelve years later Mrs. Katherine Jacques, one of the wedding guests, described in some detail her feelings and reactions to the marriage celebrations. This interesting document, long buried in the land records of Montgomery County, will be found at the end of this essay.[2]

The significance of this document can best be seen when it is placed in the context of the history of wedding celebrations in the colonial Chesapeake region. A marriage ceremony in many societies united the husband's and wife's families into a new kinship network as well as created a new family composed of bride and groom.[3] In the Chesapeake region during the seventeenth century, most marriages signaled only the start of a new family. Through most of the first half of the century, both sets of parents resided in England, far from the homes of their immigrant children. Even when native men and women married, few parents witnessed the event because adult life expectation was very short. Marriage ceremonies could be very informal; in fact, many couples married themselves by exchanging vows and then consummated the marriage without benefit of clergy. Marriage celebrations were nearly unknown before 1700.[4]

Dr. Allan Kulikoff is a Fellow at the Institute of Early American History and Culture, Williamsburg.

1. *Maryland Gazette,* August 18, 1757.

2. Montgomery County Land Records, Liber C, folios 326–31, Maryland Hall of Records, record a number of depositions about the Young-Lowe marriage taken between 1769 and 1786. Katherine Jacques's deposition, printed with the permission of the Hall of Records, can be found on folios 327–29.

3. C. C. Harris, *The Family: An Introduction* (New York, 1969), pp. 68–73.

4. Lorena Walsh, "'Till Death Us Do Part:' Marriage and Family in Maryland in the Seventeenth Century," in *Law, Society, and Politics in Early Maryland: Essays in Honor of Morris Leon Radoff,* ed. Aubrey C. Land, Lois Green Carr, and Edward C. Papenfuse (Baltimore, 1977); Jane Carson, *Colonial Virginians at Play* (Williamsburg, 1965), p. 13, found only one description of a seven-

As adult life expectation increased in the eighteenth century, and the length of marriages rose, more parents lived to see their children marry.[5] Weddings began to symbolize the creation of a link between two existing households by the formation of a third. Since nearly 30 percent of a group of children of landowners who married in Prince George's County between 1760 and 1790 were blood kin before the wedding, marriage ceremonies must have increasingly become occasions of special importance in maintaining kin group solidarity. When first cousins married, the invited guests must have included many people who were related to both bride and groom who came to celebrate the continuing union of families of siblings.[6]

Evidence from travelers' accounts and Revolutionary War Pensions suggests that three public events commonly occurred before consummation of a marriage. First, banns were published in church preceding the wedding, thereby announcing the prospective bride and groom to kinfolk, neighbors, and friends, and also giving members of the community an opportunity to object (for whatever reason) to the impending marriage.[7] Secondly, the marriage ceremony was held either at the home of the bride's parents or at the local minister's house.[8] The exchange of vows was a serious occasion. When Laetitia Young married Stead Lowe, the bride maintained the solemnity of the vows by insisting the ceremony take place before a "large Company" arrived and even refused to wait for her bridesmaid. The bridesmaid, Katherine Jacques, was "glad it was over for there was a Solemnity in the marriage ceremony that affected her as much as the burial service." The exchange of vows could be very brief. A poet described a gentry marriage in Virginia about 1800 as follows: "The Ceremony soon o'er,/The preacher saying little more,/Than you take John and John take thee,/I give my blessing heartily."[9]

---

teenth-century marriage celebration. For the low life expectation of men and women in the seventeenth-century Chesapeake and the high incidence of parental death, see Lorena Walsh and Russell R. Menard, "Death in the Chesapeake: Two Life Tables for Men in Early Colonial Maryland," *Maryland Historical Magazine*, 69 (Summer 1974): 211–27 and Darrett B. and Anita H. Rutman, "'Now-Wives and Sons-in-Law': Parental Death in a Seventeenth-Century Virginia County," in *Essays on the Seventeenth-Century Chesapeake*, ed. Thad W. Tate and David Ammerman (forthcoming).

5. For this increase in life expectation (which may not have occurred everywhere in the Chesapeake), see Allan Kulikoff, "Tobacco and Slaves: Population, Economy and Society in Eighteenth-Century Prince George's County, Maryland," (Ph.D. diss., Brandeis University, 1976), chaps. 3 and 12.

6. The proportions of kin marriages among a sampling of Prince George landed families increased dramatically over the eighteenth century. In 1700–1730, 11 percent (of 36) of marriages were between blood kinspeople (3 percent first cousins), and 9 percent were among people previously related by marriage. These same variables for marriages between 1730 and 1760 were 22 percent (of 65), 8 percent and 21 percent and for 1760–90, 28 percent (of 75), 16 percent, and 15 percent. See Kulikoff, "Tobacco and Slaves," Table 10–3.

7. See Petition of Alexander Allen (PG Maryland) and petition of Joseph Duvall (PG Maryland), Revolutionary War Pensions, National Archives.

8. Four of the seven weddings in Montgomery, Prince George's, Charles, and Anne Arundel counties described in Revolutionary War Pensions occurred at the home of the bride's parents and the other three took place at the minister's home. See the Maryland Petitions of Richard Courts (roll of film 664), Joseph Duvall, John Howard (1342), Thomas Jones (1446), John Tolson Lowe (1594), Richard Mudd (1786), John O'Hara (1890), and Richard Spyres (2263). Carson, *Virginians at Play*, p. 12, claims that ceremonies were usually held at the home of the bride's family.

9. Montgomery County Land Records, C, 38 (reprinted below); Carson, *Virginians at Play*, p. 16.

The celebration after the ceremony was the third and most important part of the whole affair. The wealthier the parents of bride and groom, the more lavish and lengthy the parties. At the least, a number of guests were invited, liquor flowed freely, and a large meal was served. The parties held after John O'Hara's marriage to Susan Tayman in 1790 were very festive. Moss Mace, her step-brother, who was "intimate as brothers" with O'Hara, remembered "the wedding party being kept up for several days." Dinners were held at the homes of Susan's mother and grandmother at a landing near Nottingham in Prince George's. The whole neighborhood might be invited. Ralph Basil recalled that after Sarah Duvall and Joseph Duvall were married in 1777, "the wedding parties were kept up for two or three weeks going from one to another of their neighbors' houses and this Deponent playing the Fiddle during the continuance of those parties." These parties occurred in a neighborhood near Upper Marlborough in Prince George's.[10]

These celebrations were rich with rituals that structured the entire event. Fullest documentation has survived for gentry marriages, and the rituals can perhaps best been seen through the eyes of Katherine Jacques whose deposition is reprinted below. Discovering she had arrived after the ceremony was completed, she first "paid her Compliments to the bride who was dressed in a White watered Tabby and appeared with the gravity and Confusion natural to a modest and thinking young Lady on Such an Occasion." The other guests, including Rev. Chalmers, "were in high Spirits." Indeed, Mr. Chalmers "went away before evening at which the bride expressed much Satisfaction as he was liable to be overtaken with Liquor." Other guests arrived, and joined the company already at the celebration. Dinner was served, and the whole group "Sat Together till after Supper when the bride and this deponent retired into another room." At other gentry marriages, hours of dancing followed the meal, but here soon after men and women separated "the bridegroom came to them and proposed the Hour of going to bed which they agreed to provided he left the Company So prudently and privately that none of the Gentlemen might observe him lest they might follow him to throw the stocking as it is called." At this event, popular too among Virginia's Scotch-Irish, maids and grooms followed the couple to the bedroom, where the maids each threw a stocking at the bride and the grooms at the husband. Katherine helped her friend undress in the evening, and dress the following morning "and after breakfast the whole Company rode out together." The festivities continued at Benjamin Young's marriage to Mary Dulany. Katherine Jacques "waited on Colo. Benjamin Young and his bride at his House . . . where she remembers all the polite part of the Inhabitants of Annapolis shortly afterwards paid their compliments to the two brides."[11]

The rituals of wedding celebrations gave social meaning to a private act. Except for the time husband and wife spent in bed, neither was left alone by the invited guests. All of the events of the wedding day, from the marriage cere-

10. O'Hara and Duvall Pensions; Carson, *Virginians at Play*, pp. 12–21.
11. Montgomery County Land Records, C, 327–29 (found below); Carson, *Virginians at Play*, pp. 12–21.

mony through the long celebrations, were public events. And the next morning, after the marriage was consummated (one hopes), the entire party ate a hearty breakfast, and then perhaps took the celebration to other homes in the neighborhood.

Marriage parties were for the guests as much as for the bride and groom, and by the mid-eighteenth century, the rituals served to unite the separate kin networks of the families of the bride and groom. This can be seen in both the structure of the celebrations and in the composition of the group invited to attend the festivities. While many weddings occurred in the home of the parents of the bride, the party often visited the parents of the husband. The day after Nicholas Dorsey married Rachael Warfield in Montgomery County in 1779, the marriage party visited his parent's home. In the 1780s, John Leland, a Baptist preacher, saw a young man in Orange County, Virginia, who "had married and brought his bride to his fathers where there was music and dancing." When the parents of the groom lived far away, the couple eventually visited the husband's parents. Dorothy Storer married J.C. Jones at her father's house in Charles County in July, 1790, and visited his parents who lived in Montgomery County at least fifty miles away the following December.[12]

Guests tended to include relatives of both families and unrelated close neighbors. John T. Lowe's brother, sister, and uncle were present when he married Susan Riddle in 1784. Ralph Basil, Sarah Duvall, Mary Carroll (nèe Duvall), and Gabriel Duvall were witnesses at the wedding of kinspeople Mary Duvall and Joseph Duvall. The three Duvalls were kinfolk of the bride and groom; Basil, Sarah Duvall, and Mary Carroll were neighbors of the marriage partners and were "raised boys and girls together and went to school" with both of them. Close neighbors witnessed the celebration and brought their kinspeople with them. Elizabeth Watters, a bridesmaid at the wedding of Thomas Jones and Elizabeth Duvall in 1777, had known Duvall since "early in life as they were raised near neighbors and went to School together." Watters attended the celebration with her brother and sister.[13]

Guests—like husbands and wives—may well have been members of the same social group.[14] The Young marriages provide an excellent example. Benjamin and Laetitia Young were children of Benjamin Young and an unknown English wife. The elder Benjamin Young, a Protestant and member of the Maryland Council between 1745 and 1754, married Ann Rozer (widow of Daniel Carroll of Charles the immigrant), a member of the Catholic gentility, soon after his arrival in Maryland in the 1730s. His two English-born children married well. Benjamin married the youngest daughter of Daniel Dulany, Sr., one of the wealthiest gentlemen in Maryland, an important land speculator, lawyer, and

---

12. Dorsey and Courts (for Storer depositions) petitions; Leland is cited in Rhys Isaac, "Dramaturgical History: Oral Performance versus Literary Script in the Virginian Revolution, 1774–1776," in *The American Revolution: Explorations in the History of American Radicalism*, ed. Alfred F. Young (Dekalb, Ill., 1976), p. 127.

13. Lowe and Duvall Pensions. Only witnesses remembered by deponents many years later can be listed in this analysis.

14. This is my impression from a study of Prince George's Wills, 1730–69, Hall of Records, and various geneologies. I am in the process of a systematic analysis which is not yet complete.

member of the Council between 1742 and 1752. Laetitia married Stead Lowe, an educated English immigrant and friend of her brother.[15] Only two guests at the wedding were mentioned. Henry Woodward, who represented Annapolis in the Assembly in 1757-58, was one of the guests; the other, Katherine Jacques, was the wife of an Annapolis merchant. Laetitia Young and Stead Lowe were married by Walter Chalmers, rector of St. Margaret's Westminister Parish in Anne Arundel County.[16]

The document presented below is one of a series of depositions found in Montgomery Land Records, liber C, concerning the marriage of Laetitia Young and Stead Lowe. The depositions were apparently recorded (and taken) because one of Lowe's heirs in England wanted to inherit Lowe's estate and challenged the legality of the marriage after Lowe died in 1766. No record of the marriage could be found in parish registers, and Jacques's deposition among others were used to document the event. The deposition was copied exactly as it appears with two exceptions. I have divided the text into sentences which are missing in the original version, and I have placed one sentence in quotes to improve readability.

Maryland St. The Deposition of Mrs. Katharine Jacques wife of Mr. Lancelot Jacques of the city of Annapolis in the province of Maryland merchant. This Deponent being first duly Sworn on the Holy Evangels of almighty God before me the Subscriber one of his Lordships the right Honourable the Lord Proprietary of the Said province of Maryland his Justices of the Provincial Court of the said privince deposes and Saith that Some time in the Summer of the year one thousand Seven hundred and fifty Six or fifty Seven she this deponent with other Company from Annapolis were at the house of Colo. Benjamin Young on the North Side of Severn a few miles from the Said City on a visit that on their return home from the said Benjamin Youngs they were accompanied to the river side by Mr Stead Lowe late of the Said province deceased and Miss Letitia Young Sister of the Said Benjamin Young at whose house they the said Stead Lowe and Letitia Young then resided. And as this Deponent and the rest of the Company were getting into and Seating themselves in the boat the said Stead Lowe beckoned to this Deponent and requested that she wou'd come over again to Colo Benjamin Young's on the next Tuesday to which this Deponent made some doubtfull reply. And the said Stead Lowe reanswered, "can you

15. Benjamin Young, Sr., died in 1754 with an estate of £1912 Maryland money and about 1,800 acres of land. (PG Inventories, DD#2, 446–52; PG Wills, box 8, folder 41; PG Accounts, DD6, 267–70; PG Debt Books, 1754 all at Hall of Records). Benjamin Young, Jr., was born in 1726 and died in 1779 in Cecil County. He was probably a merchant at his death, and his estate was appraised at £911/15/1½ (Montgomery County Land Records, CC 329; Cecil County Inventories, box 17, folder 74 and Cecil Accounts, box 12, fol. 41). For a genealogy of the family, see Effie Gwynn Bowie *Across the Years in Prince George's County* (Richmond, 1947), pp. 167–68 and for his legislative service, see Edward C. Papenfuse, *et al.*, eds., *Directory of Maryland Legislators 1635–1789* (n.p., 1974), 56. Mrs. Bowie does not mention a first wife, but this is proven by Benjamin Jr.'s age, and by the failure of Ann Young to mention either Benjamin Jr. or Laetitia in her will (PG Wills, box 10, folder 27). For Daniel Dulany, see Aubrey C. Land, *The Dulanys of Maryland* (Baltimore, 1968), chaps. 1–11. Stead Lowe, Benjamin Young Jr.'s friend, died in 1766 in Prince George's County intestate (Montgomery County Land Records, C, 327, 329–30).

16. For Henry Woodward, 1733–61, the son of Amos and Achsah Dorsey Woodward, see Papenfuse, *Directory*, p. 56, and the files on Woodward maintained by the Legislative Dictionary Project (used with the kind permission of Edward C. Papenfuse). I have not been able to determine any biographical facts about Katherine Jacques. Walter Chalmers was inducted into St. Margaret's in 1748 and died in 1759 (Nelson Waite Rightmeyer, *Maryland's Established Church* [Baltimore, 1956], p. 169).

refuse Tish upon Such an Occasion?" upon which this Deponent (understanding by the Said discourse that the Said Stead Lowe and Letitia Young were to be married on the Said Tuesday having heard much Conversation about their Intended marriage) applied herself to Miss Letitia Young and She gave her to understand that they were to be married on that day as privately as they could well Contrive it. This deponent then promised that she would attend her at the time appointed and accordingly went to Colo. Benjamin Youngs on the said Tuesday. That when she came to the house of the Said Colo. Young She was met at the porch by Mr. Henry Woodward now deceased and told by him that She was too late, that the ceremony was over, that the bride—being informed a large Company were coming—was prevailed on to pass the Ceremony without a bridesmaid. To which this deponent answered that she was glad it was over for there was a Solemnity in the marriage ceremony that affected her as much as the burial Service. The Gentlemen then at Colo. Benjamin Youngs, to wit Colo. Benjamin Young, Messrs. Stead Lowe & Henry Woodward and the Revd. Mr Chalmers (who as this Deponent understood had performed the marriage Ceremony) were in high Spirits and much diverted at the Comparison she had made of the marriage ceremony and burial Service and Commented greatly upon it while she paid her Complimts to the bride who was dressed in a White watered Tabby and appeared with the gravity and Confusion natural to a modest and thinking young Lady on Such an Occasion. This Deponent further Saith that the Said Mr. Chalmers went away before evening at which the bride Expressed much Satisfaction as he was liable to be overtaken with Liquor. That the Company then present and other Company which Came afterwards Sat Together till after Supper when the bride and this Deponent retired into another room. Soon after which Mr. Stead Lowe the bridegroom came to them and proposed the Hour of going to bed which they agred to provided he left the Company So prudently and privately that none of the Gentlemen might observe him lest they might follow him to throw the Stocking as it is called. This Deponent further Saith that she assisted the bride in undressing herself that night and to dress herself the next morning and after breakfast the whole Company rode out Together. This Deponent further Saith that being engaged to be at the wedding of Miss Mary Dulany with the aforesaid Benjamin Young the next day after Mr. Stead Lowes marriage aforesaid She returned to Annapolis before the Evening of that day and the next morning waited on Colo. Benjamin Young and his bride to his House on the North Side of Severn aforesaid where as She remembers all the polite part of the Inhabitants of Annapolis shortly afterwards paid their Compliments to the two brides aforesaid. This Deponent further Saith that She was extremely well acquainted with the aforesaid Stead Lowe and Letitia Young before and Several years after their marriage aforesaid and that they always during the lifetime of the Said Stead Lowe passed as man and wife and were always So deemed and reputed and that she this Deponent never heard that any body in the Country doubted the Validity of the Said Stead Lowes marriage aforesaid with Miss Letitia Young or the most distant Insinuation that they were not really and truly married and further this Deponent Saith not. Sworn to this 27th May 1769 JB Boardley

ss K Jacques

The Susquehanna and Tidewater Canal

GEORGE B. SCRIVEN

A RECENTLY REDISCOVERED PART OF THE RECORDS OF THE SUSQUEHANNA AND Tidewater Canal is of value because it contains a detailed account of a portion of the canal traffic for a six-months period only about a year before canal operations ceased.[1] This may be the only such record available for the entire period of the canal operation. The import of this newly-found material will be better understood when the Susquehanna and Tidewater Canal is placed in geographical and historical context.[2] In the first place, the canal of this study should not be confused with an earlier canal[3] on the eastern side of the Susquehanna River which was purchased in 1836 by the Susquehanna and Tidewater Canal and thereafter gradually phased out of operation.

The Susquehanna and Tidewater Canal ran from tidewater at Havre de Grace, up along the western side of the Susquehanna River, which it crossed between Wrightsville and Columbia, Pennsylvania; at the latter town it joined the already existing series of Pennsylvania canals. Its purpose was to connect the Susquehanna Valley of Pennsylvania with Baltimore and other tidewater ports. It had been planned as early as 1824, but incorporation did not take place in Maryland and Pennsylvania until 1835. Construction began in 1836, water was admitted in 1839, and limited canal-boat use began in 1840.

The forty-five miles of canal had twenty-nine locks in a fall of approximately 250 feet; it had eighteen road and farm bridges, nine aqueducts, twenty-eight waste weirs, and four dams, two across the river and one each across the mouth of Deer and Broad creeks. At these two creeks the streams fed directly into the canal, permitting canal boats to go up Deer Creek to Stafford and up Broad Creek far enough to load flint where it was mined. Excess water from these streams flowed over a spillway. The ten locks in Maryland have been listed by Samuel Mason, Jr., who named the lock keepers and stated that they lived in white-washed houses near the locks.[4] Each lock was 170 × 16½ feet. Water depth in the canal was originally only three feet, but this was increased to six feet. Canal boats ranged in quality from scows to passenger boats. They varied

---

The Reverend George B. Scriven, a former contributor, is a local historian living in Baltimore.

1. The 16½ × 13½ paperbound book of canal-use permits from the lower toll office contains the company records of permits, numbers 1 to 420, which were in use from October 17, 1892, until June 7, 1893. The book is in the possession of Mrs. Marion Trott of Darlington, Maryland, whose ancestor Charles Reed Jordan is often named in it as a canal boat captain.
2. See Gerald Smeltzer, *Canals Along the Lower Susquehanna 1796–1900* (York, Pa., 1963), and L. E. Carter, "The Susquehanna and Tidewater Canal," Typescript at the Maryland Historical Society.
3. The Susquehanna Canal, sometimes called the Maryland Canal.
4. Samuel Mason, Jr., *Historical Sketches of Harford County, Maryland* (Lancaster, Pa., 1940), p. 94.

in length up to about sixty-five feet and were limited to a width of sixteen feet by the size of the locks. Draft ranged from eighteen inches empty to five feet fully loaded. A few canal boats were owned by the canal company, but most were privately owned. Mules, hitched in tandem, walked the tow path pulling the boats at about three miles an hour.

According to a news item in the *Baltimore American* for May 16, 1840, a new era for Baltimore trade opened on that day with the arrival of four canal boats from Havre de Grace. Now Baltimore merchants could get regular shipments at low cost from Pennsylvania and send return cargoes such as groceries, sugar, coffee, salt, fish, dry goods, and plaster to the Susquehanna river valley by canal boats. The *Baltimore American* article shows that from the first year of operation canal boats were towed back and forth on the Chesapeake Bay between Baltimore and the canal. Trade increased yearly with fair regularity, reaching a peak in 1864 with an income of $278,344.48. About 1870 the railroads began absorbing canal traffic. In June 1872 the Philadelphia and Reading Railroad leased the canal, operating it until 1888 before returning it to the canal company. Occasionally a canal boat made a fast trip. Such a one was noted in the Shuresville items of the Bel Air *Aegis and Intelligencer* for May 28, 1880. The canal boat *Eddie* of Peach Bottom left Baltimore on Saturday night for McCall's Ferry, where she discarded cargo and loaded with hay for Lapidum. After unloading the hay, she loaded with grain (from Barnes and Archer) which she took to Baltimore. Unloading the grain, she returned to Glen Cove and again loaded with hay for Lapidum, all of this movement taking place in less than a week's time. The same issue noted that the reason canal boats did not seem to be running as often as usual was due to the long time required for them to carry coal to New York and return to Maryland.

Floods washed out parts of the canal rather frequently, causing great expense, and this damage combined with the diversion of traffic to the railroads finally brought canal operations to an end. The canal ceased regular operations in 1894, and it was put up for sale in 1896. A small local traffic seems to have operated in the Maryland part of the canal until about 1900. On March 14, 1902, the Susquehanna and Tidewater Canal and its wholly owned remnant of the old Maryland Canal were transferred at a receiver's sale to J. H. Harlow, who in turn sold the two canal properties on April 10, 1902, to McGraw and Houseman for hydroelectric development, thus bringing the canal era to an end.[5]

The newly discovered canal records show the canal traffic from October 17, 1892, to June 7, 1893, for which toll was collected at the lower collection point (Havre de Grace, and perhaps sometimes Lapidum, though this is not certain). During the icy weather from December 21, 1892, to April 17, 1893, no canal traffic is shown. Also these records show nothing about the collections at the upper toll point (Wrightsville, Pennsylvania), nor any of the traffic through the lower part of the canal for which tolls were paid at Wrightsville. Apparently

5. Two Bel Air teachers, Mr. Robert E. L. Ross and Mr. Richard Sherill, are preparing a very detailed history of the Susquehanna and Tidewater Canal in which they plan to show as much local information on the Maryland part of the canal as Gerald Smeltzer did for the Pennsylvania portion.

tolls were collected at the first toll point reached by a canal boat. The canal charged a toll on each boat for the privilege of using the canal.

Boat toll from Lapidum to:		
Stafford	.60	
Paper Mill	.70	
Conowingo	.80	
Glencove	.80	
Broad Creek	.80	
Peach Bottom	1.00	
McCall's Ferry	1.30	
Cold Cabin	1.40	
York Furnace	1.40	
Shenk's Ferry	1.50	
Bridgeville	1.70	
Detweiler's	1.70	
Lockport	1.90	
Columbia	1.90	plus 1.00 to cross river.
from Havre de Grace to Paper Mill	.90	

In addition to boat charges there was a tonnage charge at different rates for various sorts of cargo and for distance carried. A few examples are given here:

Crude flint	Glencove to Stafford	$.13 per ton
Ground flint	Stafford to Lapidum	.16
Ground flint	Broad Creek to Havre de Grace	.23
Coal	Lapidum to Stafford	.12
Coal	Havre de Grace to Paper Mill	.18
Spruce pine	Lapidum to Paper Mill	.14
Spruce pine	Havre de Grace to Paper Mill	.18
Tamarack, pine	Peach Bottom to Paper Mill	.14
Tamarack	Muddy Creek to Paper Mill	.16
Pine	Lockport to Paper Mill	.22
Poplar	York Furnace to Paper Mill	.20
Cans	Lapidum to Shure's Landing	.34
Canned goods	Glencove to Havre de Grace	.29
Salt	Havre de Grace to Peach Bottom	.15
Coal oil	Havre de Grace to Peach Bottom	.25
Phosphate	Lapidum to Shenk's Ferry	.31
Phosphate	Lapidum to Bridgeville	.34
Wheat	McCall's Ferry to Havre de Grace	.30
Wheat	Peach Bottom to Havre de Grace	.25
Wheat	State Line to Havre de Grace	.24
Lumber	McCall's Ferry to Peach Bottom	.20
Heavy groceries	Lapidum to State Line	.21
Heavy groceries	Lapidum to Peach Bottom	.23
Heavy groceries	Lapidum to McCall's Ferry	.27

A great many entries were for the passage of an empty canal boat on its way to pick up a cargo.

The record shows that from May 1 to May 22 in the springtime boats and scows

came down from Pennsylvania to Lapidum (and once to Shure's Landing) for loads of fish: 43.3 tons of fish, mostly herring with a little shad, was distributed to Peach Bottom, McCall's Ferry, Shenk's Ferry, Lockport, York Furnace, and Bridgeville by the scows *Lane, Happy Thought,* and *No. 1* and by the canal boats *Man, Uno, Duncan,* and *Owlet*. Among the unusual loads were two tons of Christmas trees taken on December 5, 1892, from Muddy Creek to Wrightsville on the canal boat *Heckle & Caine*. Once the canal boat *Madelon* made the run empty from Lapidum to Columbia, where it was charged an extra dollar for using the canal crossing over the Susquehanna between Wrightsville and Columbia.

The following captains, canal boats and scrows were using the canal in 1892–93:

Boat captains	*Canal boats*	*Scows*
Jordan, Charles Reed	George W. Baker	Allen
Fisher	Reynolds	John H. Hughes
Norris	John A. Russell	T.W.C.
Johnson	Martina	Hohn
White, Charles	Tommy Hoffmasts	Laura
Councilman, Richard	Willis	Happy Thought
Cromwell	Baltimore	No. 1
Butcher	Harry	Lane
Garber	Joe Desch	Company Scow
Salik	J. C. Smith	
Steel	York Furnace	
Wilhelm	Heckle & Caine	
Hatch	Carolina	
Blouse	Owlet	
Matthews	Uno	
Burkins	Man	
Schenk	Duncan	
Crouse	Madelon	
Duncan		
Dull		
Stipes		

Among the boats making somewhat regular runs from Lapidum up the canal were the canal boats *Carolina,* Captain Blouse, and *Martina,* Captain Cromwell. Usually they carried phosphate, heavy groceries, salt, coal oil, and similar supplies. Less often canal boats carried cargoes such as lumber, shingles, brick, furniture, and either empty cans for canning factories or canned goods from them. Any farmer along the canal route could have heavy supplies unloaded from the canal practically onto his land. Supplies did not have to go to some particular "port" location.

Occasionally a small raft of logs went through the canal for a short distance. On November 29, 1892, Captain Stokes took a raft of forty saw logs from York Furnace to Stokes' Mill and then took a raft of forty-five saw logs to the same mill from Muddy Creek. On November 30 Captain Rawhauser took a raft of

thirty-five old saw logs from Lock #7 to McCall's Ferry, the toll charge in each instance being eight cents per log.

The paper mill of the Susquehanna Water and Power Company at Conowingo accounted for much of the canal traffic at this period. About 300 tons of pulp wood, consisting mostly of poplar, with a small amount of pine and some tamarack, came from Pennsylvania, mostly from Peach Bottom and Muddy Creek. Spruce pine from the mouth of the river provided most of the pulpwood for this period, 5,112 tons of it, less than half coming from Havre de Grace and the rest from Lapidum. October, November, and December shipments came through Havre de Grace while April, May, and June shipments came through Lapidum. It would be of interest to know its point of origin. Many canal boat loads of coal, 120 or more tons at a time, came up the canal for the paper mill; most of the coal boats came from Lapidum, but some were from Havre de Grace. Other supplies such as sulphur probably came via the canal, but none show in this record. A few small loads of paper from the mill were transported on the canal to Havre de Grace. The paper mill owned at least one scow, the *John H. Hughes,* which was usually captained by Charles White who lived at Castleton. On one run it was not charged toll because it had on board a load of rock for repairing the canal at Rock Run.

The canal company income as shown in these records was less than $3,000 for seven and a half months (including the dead winter), and even if the toll office at the upper end was producing twice as much, it is unlikely that income was meeting operating costs. The inevitable closing of the canal company also brought to an end some of the marginal businesses along its banks, notably, at the lower end, the paper company at Conowingo and some of the flint mills, and probably also the towns of Lapidum and Stafford.

Bibliographical Notes

UNRECORDED PRE-1832 MARYLAND PUBLICATIONS

EDGAR HEYL

Previously, a group of forty-seven unrecorded Maryland publications (primarily pamphlets) issued before 1831, and which had been located in the library of the Maryland Historical Society, was described in this magazine.[1] The search for other such works has continued in the pamphlet collection, the end result at the completion of the examination being a group of 201 more.

These were all checked against the standard bibliographies of Marylandia and Americana used before, to ascertain that they were unrecorded. However, since the first section of the work appeared, a new bibliography of American imprints for 1831 was published.[2] As a result of its use, the coverage of the works recorded here is pre-1832.

The descriptive style is the one used previously, which was explained in the introduction to the original listing. The entries there were numbered, and that numbering is continued here. Consequently, it was possible to provide at the end of this paper an index of printers, publishers, and places of publication.

48. The Act Of Incorporation With Its Supplement, And The Ordinances Of The Corporation of Frederick, Md. Fredericktown, Md. Charles Sower, Printer. 1819. [3], 4–66 pp., removed from a bound volume.

49. Address Of The Union Temperance Society, Of Harford County, Md. To Their Fellow-Citizens. Printed At The Independent Citizen Office: [Bel Air] 1831. [3], 4–7, [1] pp., self wrappers.

50. An Address To The Voters Of Baltimore County, Adopted at a Meeting of the Voters of the Third Election District, Held September 12th, 1827. [B. Edes, Printer, Baltimore] [1], 2–12 pp., self wrappers.

51. Allen, [William H.]. House Of Delegates, Bill No. 62. An Act Concerning Joint Tenancy. [Annapolis] 1823. A leaf, printed on the recto only.

52. Allen, [William H.]. House Of Delegates, Bill No. 3. An Act To abolish Survivorship in Joint Tenancy. [Annapolis] 1822. A leaf, printed on the recto only.

Mr. Edgar Heyl is the Society's Consultant on Rare Books.

1. Edgar Heyl, "Unrecorded Pre-1831 Maryland Publications," *Maryland Historical Magazine* 70 (Winter 1975): 394–400.
2. Scott and Carol Bruntjen, *A Checklist of American Imprints for 1831* (Metuchen, 1975).

53. [Allen, William H.]. House of Delegates, Bill No. 10. An Act To alter and amend the constitution, so that Members of the Senate may be hereafter elected immediately by the People. [Annapolis, 1822] 1–3, [1] pp., self wrappers.

54. [Allen, William H.]. House Of Delegates, Bill No. 61. An Act To prohibit more than one Judgment for the Costs of one Suit being entered on any Bond or Note. [Annapolis, 1823] 1–2 pp., a leaf, printed on both sides.

55. [Allen, William H.]. House of Delegates, Bill No. 75. An Act To regulate the Fees of County Clerks, in the several Counties of this State. [Annapolis, 1823] 1–8 pp., self wrappers.

56. Allen, [William H.]. House of Delegates, Bill No. 1. An Act To withdraw the sum now given the different Schools, Colleges and Academies, to constitute a fund to be hereafter appropriated to the education of poor Children. [Annapolis] 1822. A leaf, printed on the recto only.

57. Arrangements For The Reception of Gen. La Fayette in Annapolis. [Annapolis, 1824] [1], 2–4 pp. This is a negative photocopy, and the location of the original could not be determined.

58. Articles Of Association Of The Maryland Agricultural Society. Baltimore: Printed By J. Robinson, Circulating Library, 94, Market-Street. 1819. [3], 4–12 pp., self wrappers.

59. Bowie, [—]. Mr Bowie's Resolutions Relative To Congressional Caucus. December, Session, 1823. Annapolis: Jeremiah Hughes, Printer. [3], 4–5, [1] pp., self wrappers.

60. [Buck, John, of Benj.]. Report Of The Baltimore And Havre-de-Grace Turnpike Company, To The Legislature Of Maryland. Annapolis: Jeremiah Hughes, Printer. 1830. Cooper 240 spells "Havre" as "Harve" two times, and says [4] pp. but neglects to mention that there also is 1 folding leaf printed on the recto only.

61. [Carroll, Thomas H.]. Report Of The Committee Appointed upon the petition of the Alumni of Washington and St. John's Colleges. [Annapolis, 1823 (?)] A leaf, printed on both sides.

62. Carroll, [Thomas H.]. Resolution To provide a Marble Statue of General Washington. [Annapolis] 1822. A leaf, printed on the recto only.

63. Cavalry Law Of The State Of Maryland, Being A Supplement To The Act Entitled, An Act To Regulate and Discipline The Militia Of This State. Passed At November Session, One Thousand Eight Hundred And Eleven. Published By Authority. Annapolis: Printed By Jehu Chandler, Printer To The State. 1812. [3], 4–6, [2] pp., self wrappers.

64. Census Of Maryland, For 1820. December Session, 1822. Annapolis: J. Hughes, Printer. 1823. Shoemaker 13227 says [i] p., but actually this is a title page leaf plus 5 folding leaves, all printed on the rectos only.

65. [Chambers, —]. Senate. Bill No. 2. An Act Entitled a further supplement to an act entitled, "an act directing the manner of suing out attachments in this province, and limiting the extent of them. [*sic*] [Annapolis, n.d.] [1], 2–3, [1] pp., self wrappers.

66. Chambers, [—]. Mr. Chambers, Report On The Apportionment Of Revenue For The Support Of Government. December Session, 1823. Annapolis: J. Hughes, Printer. [3], 4–7, [1] pp., self wrappers.

67. [Chambers, —]. Senate, Bill No. 13. A Supplement To the act to regulate the manner of obtaining and altering Public Roads in this state. [Annapolis, n.d.] 1–3, [1] pp., self wrappers.

68. Charter Of The Bank Of Westminster. Uniontown, Md. Printed by Charles Sower. [1815] [3], 4–7, [1] pp., self wrappers.

69. Chauncey, [John]. Resolution Relative to Absconding Slaves. [Annapolis] 1823. A leaf, printed on the recto only.

70. [Chesley, John H. C.]. House Of Delegates, Bill No. 13. An Act To exempt from distress for rent, negroes, slaves or servants, which are not bona fide the property of the person liable to such rent. [Annapolis, 1822 (?)] 1–3, [1] pp., self wrappers.

71. [Chesley, John H. C.]. House Of Delegates. Bill No. 43. An Act To incorporate the Maryland Agricultural Society. [Annapolis, 1822 (?)] 1–18 pp., self wrappers.

72. Communication From The Judges Of The Court Of Appeals, To The Legislature of Maryland. December, Session, 1823. Annapolis: Jeremiah Hughes, Printer. [4] pp., self wrappers.

73. Communication Of The Governor, Enclosing Communications From The Governors, Of Tennessee And Vermont, 1826. Published By Authority. Annapolis: Printed by Jeremiah Hughes, Church-st. 1826. [3], 4–8 pp., removed from a bound volume.

74. Constitution, By-Laws, And Rules Of Order Of The Ladies' Branch Bible Society Of Baltimore. Baltimore: Printed By John D. Toy, Corner of Market and Charles streets. 1821. [3], 4-12 pp., sewn in plain wrappers of the same stock.

75. Constitution, Bye Laws, and Rules of Order Of The "Young Men's Bible Society of Frederick City." Frederick City, Md. Printed For The "Young Men's

Bible Society." 1821. [3], 4–10 pp. plus at the rear the stubs of 3 blank leaves, and a front blank which is a pastedown on the plain wrapper, the rear wrapper not present.

76. Copies Of Certain Deeds Of Conveyance Between James Bosley And Others, Respecting Certain Alleys. [Baltimore(?), 1823] [3], 4–11, [1] pp., removed from a bound volume.

77. Depositions Taken At The Penitentiary, By The Committee Appointed For That Purpose By The Legislature Of Maryland. Annapolis: J. Hughes, Printer. [1821 or 1822] [3], 4–28 pp., self wrappers.

78. Description Of The Court Of Death; An Original Painting, By Rembrandt Peale. [Printed by J. Robinson, corner of Market and Belvidere-streets, Baltimore.] [2], 3–4 pp., self wrappers. Shoemaker 1010 cites a Philadelphia, 1820 edition, and so this is likely to be of that period.

79. [Document No. 11.] Accompanying The Executive Communication Of The 29th December 1830. Report Of The Directors Of The Maryland Penitentiary. Annapolis. Printed By Jonas Green. Dec. 1830. Cooper 2430 says 1 p., but this actually consists of a title page and 7 folding leaves, all printed on the rectos only.

80. Documents Accompanying The Governor's Message To The Senate And House Of Delegates Of Maryland, By Authority. Annapolis: J. Hughes, Printer. [1822] [2], 3, [1], 5, [1], 7–9, [1], 11, [1], 13, [1], 15–17, [1], 19–21, [1], 23–24 pp. plus 2 folding leaves printed on the rectos only, self wrappers.

81. Documents Accompanying The Message Of The Executive Of Maryland, Transmitted To The Senate And House Of Delegates, On The Thirtieth December, Eighteen Hundred And Twenty Five, And Referred To Therein. Published By Authority. Annapolis: Printed by Jeremiah Hughes, Church street. 1826. [3], 4–18 pp., removed from a bound volume.

82. Documents Transmitted To The Senate And House Of Delegates, By The Executive, Concerning The State Lottery, No. 2. December Session, 1823. Annapolis: J. Hughes, Printer. [5], 6–16 pp. plus 2 folding charts printed on the rectos only, self wrappers.

83. [Dorsey, Clement]. House Of Delegates, Bill No. 51. An Act Authorising the removal of causes depending, or which may hereafter be depending on the equity side of any of the county courts in this state to the court of Chancery. [Annapolis, 1821(?)] 1–4 pp., self wrappers.

84. Du Val, Singleton. Report Of The States' Agent Of The Western Shore of Maryland. [13 lines of text] Annapolis, 1827. Shoemaker 29651 says 4 pp. but it actually is [3], 2–4 pp. plus 3 folding leaves printed on the rectos only.

85. Duvall, [Washington]. House Of Delegates, Bill No. 32. A Supplement To an act, entitled, an act incorporating into one the several acts relating to Constables' Fees. [Annapolis] 1823. A leaf, printed on the recto only.

86. Egelmann, Charles F. No. 1–1831. The American Farmer's Almanac, For The Year Of Our Lord 1831; Being the third after Leap Year, and fifty-fifth of American Independence. Calculated for Maryland, Pennsylvania and Virginia. By Charles F. Egelmann. Baltimore: Published By James Lovegrove, No. 23, South Calvert-Street. R. J. Matchett, Printer. [27], 28–50 pp., interleaved, self wrappers.

87. Farmer, A. Five Letters, Proving The Absolute Divinity And Godhead Of Jesus Christ, By A Farmer. Frederick-Town: Printed By John P. Thomson. 1807. [3], 4–23, [1] pp., self wrappers.

88. Fenwick, [Athanasius]. Mr. Fenwick's Resolutions On National Affairs. December Session, 1823. Annapolis: Jeremiah Hughes, Printer. [2], 3–5, [1] pp., self wrappers.

89. First Annual Report Of The Board Of Managers Of The Union Temperance Society Of Harford County, Maryland. Read And Adopted At The Annual Meeting Held on the 26th of October, 1831. Belle-Air, Harford Co. C. D. Bouldin, Printer. 1831. [3], 4–12 pp., self wrappers.

90. [Garner, Robert]. House Of Delegates. Bill No. 47. An Act To prevent fraudulent conveyances, and for other purposes. [Annapolis, 1824 or 1825] 1–3, [1] pp., self wrappers.

91. [Gilmor, Robert]. [Document No. 12] Annual Report Of The Managers Of The Washington Monument, To The Legislature Of Maryland. Annapolis: Printed By Jonas Green. Jan. 1831. [3], 4–5, [1] pp., removed from a bound volume.

92. [Grason, Wm.]. Report Of The Committee Of Ways and Means, To The House Of Delegates, January 29, 1830. Annapolis: J. Hughes, Printer, 1830. [3], 4–12 pp., removed from a bound volume.

93. Gregg, Andrew. A Letter From Andrew Gregg, Esq. Relative To The Navigation Of The Susquehanna River, &c. &c. [cover title] Document B. Accompanying The Executive Conmunication [*sic*]. December Session, 1823. Annapolis: Printed By J. Hughes. [5], 6–17, [1] pp., removed from a bound volume.

94. [Harwood, Benjamin]. Communication From The Treasurer of the Western Shore, To The General Assembly, Enclosing A Report On The School Fund, Accompanied by Sundry Statements. December 30, 1825. Published by Author-

ity. Annapolis: Printed by Jeremiah Hughes. 1826. [12] pp., removed from a bound volume.

95. [Harwood, Benjamin]. Communication From The Treasurer Of The Western Shore, Transmitting A Report On The Sinking Fund, For the reimbursement of the Maryland University, and also of the Maryland Penitentiary, five per cent stock. Published By Authority. Annapolis: Printed by Jeremiah Hughes, Church-st. 1826. Shoemaker 25236 says [5] pp., but it actually has [8] pp.

96. [Harwood, Benjamin]. Correspondence Of The Treasurer Of The Western Shore And H. D. Gilpin, Relative To The Chesapeake and Delaware Canal. Annapolis: Printed by J. Hughes. [1823] [3], 4–13, [1], 14, [1], 17–20 pp., self wrappers.

97. [Harwood, Benjamin]. A General Report From The Treasurer of The W. S. To The General Assembly Of Maryland, [3 lines of text]. Annapolis: Printed By Jonas Green Dec. 1825. Shoemaker 21341 says 6 pp. but it actually is [3], 4–6, [2] pp. plus 3 folding leaves printed on the rectos only.

98. [Harwood, Benjamin]. Report Of The Treasurer Of The Western Shore In Obedience To An Order Of The House Of Delegates, 13th inst. Respecting monies received for duties on retailers of Dry Goods, Importers and Wholesale Merchants. As Also Of Dealers In Lottery Tickets. December Session, 1822. Annapolis: J. Hughes, Printer. 1822. Shoemaker 9385 says [iv] pp. but fails to mention that there also is a folding sheet printed on the recto only.

99. [Harwood, Benjamin]. Report Of The Treasurer Of The Western Shore On The Funded Stock. December Session, 1822. Annapolis: J. Hughes, Printer. 1822. Shoemaker 9387 says [iv] pp. but fails to mention that there also are 3 folding leaves printed on the rectos only.

100. [Harwood, Benjamin]. Report Of The Treasurer Of The Western Shore On The Funded Stock. December Session, 1823. Annapolis: Jeremiah Hughes, Printer. [4] pp. plus 3 folding leaves printed on the rectos only, self wrappers.

101. [Harwood, Benjamin]. Report Of The Treasurer Of The Western Shore On The School Fund. December Session, 1822. Annapolis: J. Hughes, Printer. 1822. [4] pp. plus 7 folding leaves printed on the rectos only, self wrappers.

102. [Harwood, Benjamin]. Report Of The Treasurer Of The Western Shore On The School Fund. Annapolis: Jeremiah Hughes, Printer. [1823] [4] pp. plus 7 folding leaves printed on the rectos only, self wrappers.

103. [Harwood, Benjamin]. Report Of The Treasurer Of The Western Shore On The Sinking Fund. December Session, 1822. Annapolis: J. Hughes, Printer. 1822. [4] pp. plus 4 folding leaves printed on the rectos only, self wrappers.

104. [Harwood, Benjamin]. Reports Of The Treasurer Of The Western Shore, December, Session, 1823. Annapolis: Jeremiah Hughes, Printer. [2] pp. plus 6 folding leaves, 1 printed both sides, the rest rectos only, self wrappers.

105. [Harwood, Benjamin]. Treasurer's Report By order of the House of Delegates of 9th December, Relative To The Revenue, The School Fund, And The Annual Expenditure Of The Judiciary, December Session, Annapolis: J. Hughes, Printer. 1822. Shoemaker 9389 says [iv], [1] pp., but it actually is [6] pp. plus 6 folding leaves printed on the rectos only.

106. [Harwood, Benjamin]. Treasurer's Statement Of The Amount Received From The State Agent Of The Western Shore. December Session, 1823. Annapolis: Jeremiah Hughes, Printer. [2] pp. plus a folding leaf printed on the recto only, self wrappers.

107. [Harwood, Richard, of Thos.]. Report Of The Adjutant General, To The Governor, Communicated to the General Assembly January 3d, 1830. Annapolis: Printed By J. Hughes. 1830. Cooper 2441 says 7 pp. but actually it is [5], 6–7, [1] pp. plus 5 folding leaves printed on the rectos only.

108. [Harwood, Richard, of Thos.]. Report Of The Adjutant General To The Legislature of Maryland, Dated 12th January. 1826. Annapolis: J. Hughes, Print. 1826. [4] pp. plus 2 folding leaves printed on the rectos only, removed from a bound volume.

109. [Hoffman, David]. To The Trustees Of The University Of Maryland In Relation To The Law Chair. Baltimore: Printed By J. D. Toy, Corner of Market and St. Paul streets. 1826. [3], 4–36 pp., removed from a bound volume.

110. Hopkinson, [Joseph]. Extract Of A Letter from Judge Hopkinson, of Philadelphia, To A Gentleman In England. Baltimore: Published By James Lovegrove No. 23, S. Calvert street. [1830 or 1831] [3], 4–7, [1] pp., self wrappers.

111. [Hopper, P. B.]. Report Of The State Agent For The Eastern Shore Of Maryland, To The Legislature. December 26, 1825. Published By Authority. Annapolis: Printed by Jeremiah Hughes. 1826. [3], 4–5, [2], 8–11, [1] pp., removed from a bound volume.

112. Hughes, Nimrod. A Solemn Warning To All The Dwellers Upon Earth, Given Forth In Obedience To The Express Command Of The Lord God, As Communicated by Him, in several extraordinary Visions and miraculous Revelations, Confirmed by sundry plain but wonderful Signs, unto Nimrod Hughes, Of the County of Washington, in Virginia, [5 lines of text] that the Certain Destruction Of One Third Of Mankind, As Foretold In The Scriptures, Must Take Place On The Fourth Day Of June, 1812. Baltimore: Re-Printed For Sale.—January—1812. [2], 3–24 pp., but the rest of the text is missing, self wrappers.

113. [Ireland, Joseph, Jr.]. House of Delegates, Bill No. 64. An Act Directing the priority of payment of the debts of persons dying within this state, in certain cases therein mentioned. [Annapolis, 1823] 1–2 pp., a leaf printed on both sides.

114. Ireland, [Joseph, Jr.]. House Of Delegates, Bill No. 49. An Act To repeal the first section of an act, entitled, A supplement to the act laying duties on Licenses to Retailers of Dry Goods, and for other purposes. [Annapolis] 1823. A leaf, printed on the recto only.

115. [Jennings, Sam'l K.]. Circular. Baltimore, December 1, 1824. Dear Brother . . . [1], 2–4 pp., self wrappers.

116. [Johnson, Edward]. To The Honorable the General Assembly of Maryland. The Memorial of the Mayor and City Council of Baltimore, Respectfully Represents, That on behalf of the people of Baltimore . . . [Baltimore(?), 1822–1824] [1], 2–3, [1] pp., self wrappers.

117. [Johnson, Reverdy]. Senate. Bill No. 6. An Act Relating to the Manumission of Slaves in this State. [Annapolis, 1823(?)] 1–2 pp., a leaf printed on both sides.

118. [Johnson, Reverdy]. Senate, Bill No. 5. An Act To change the mode of electing electors of President and Vice President of the United States. [Annapolis, 182–(?)] 1–3, [1] pp., self wrappers.

119. [Johnson, Reverdy]. In Senate, Bill No. 10. An Act To repeal the act against excessive usury. [Annapolis, 1823] 1–2 pp., a leaf printed on both sides.

120. [Johnson, Reverdy]. In Senate, Bill No. 13. An Additional Supplement To the act, entitled, An act for the regulation of Officers Fees. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

121. [Johnson, Reverdy]. In Senate, Bill No. 5. A Supplement To the act, entitled, An act relating to Insolvent Debtors, in the City and County of Baltimore. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

122. [Johnson, William F.]. House Of Delegates, Bill No. 55. A Supplement To An Act Entitled, "An Act To Regulate And Discipline The Militia Of This State." [Annapolis, 1823(?)] 1–7, [1] pp., self wrappers.

123. [Karney, Thomas]. No. 2. Report Of The Auditor General. December Session, 1823. Annapolis: J. Hughes, Printer. [2], 3–19, [1] pp., self wrappers.

124. [Karney, Thomas]. Report Of The Auditor Of The State. December Session, 1822. Annapolis: J. Hughes, Printer. 1822. Shoemaker 9376 correctly indicates that this has [iv] pp., but fails to note that there also are 2 folding leaves printed on the rectos only.

125. [Karney, Thomas]. Report Of The Auditor, Transmitting The Accounts Of Washington G. Tuck, In compliance with a call from the House of Delegates. December Session, 1822. Annapolis: J. Hughes, Printer. 1823. [3], 4–5, [1] pp., self wrappers.

126. [Kemp, Henry]. House Of Delegates, Bill No. 74. An Act Authorising the Orphans' Courts of this state, to decree the sale of real estate in certain cases. [Annapolis, 1823] 1–2 pp., a leaf printed on both sides.

127. [Kemp, Henry]. House of Delegates, Bill No. 67. An Act To provide for the administration of justice in cases of crimes and misdemeanors in Frederick County. [Annapolis, 1823] 1–7, [1] pp., self wrappers.

128. [Kemp, Henry]. Report Of The Committee Of Claims To The Legislature Of Maryland. December, Session, 1823. Annapolis: Jeremiah Hughes, Printer. [2], 1–7, [1] pp., self wrappers.

129. [Kemp, Henry]. House Of Delegates, Bill No. 9. A Supplement To The Act entitled, An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers. [Annapolis, 1822] 1–4 pp., self wrappers.

130. [Kennedy, J. P.]. House of Delegates, Bill No. 43. An Act For making a certain Road in Baltimore County. [Annapolis, 1823] [1], 2–12 pp., self wrappers.

131. [Kennedy, J. P.]. House Of Delegates, Bill No. 47. An Act Relating to the Official Bonds of Sheriffs and other Officers in this State. [Annapolis, 1823] 1–2 pp., a leaf printed on both sides.

132. [Kennedy, J. P.]. House Of Delegates, Bill No. 8. An Act Relating to the Union Bank of Maryland. [Annapolis, 1822] 1–3, [1] pp., self wrappers.

133. [Kennedy, J. P.]. House Of Delegates, Bill No 2. An Act To alter and amend such parts of the Constitution of Maryland as relate to the election of two delegates from the City of Baltimore to the General Assembly of this state. [Annapolis, 1822] 1–2 pp., a leaf printed on both sides.

134. [Kennedy, J. P.]. House Of Delegates, Bill No. 16. An Act To incorporate the Jefferson Association of Baltimore. [Annapolis, 1822] 1–5, [1] pp., self wrappers.

135. [Kennedy, J. P.]. House of Delegates, Bill No. 24. An Act To incorporate the Trustees for the Poor, of Baltimore City and County. [Annapolis, 1823] 1–8 pp., self wrappers.

136. Kennedy, J. P. House Of Delegates, Bill No. 11. An Act To repeal certain parts of the act entitled, An act, entitled, A Supplement to the act laying duties on licenses to retailers of dry goods and for other purposes, passed at December

Session, eighteen hundred and twenty-one, chapter two hundred and forty-six. [Annapolis] 1822. A leaf, printed on the recto only.

137. Kennedy, J. P. Resolutions Directing A Survey. Whereas, it is a matter of most interesting importance . . . [Annapolis, 1822 or 1823] A leaf, printed on the recto only.

138. [Kennedy, J. P.]. Resolutions, Respecting The State Finances. Whereas, the state of Maryland, . . . [Annapolis, 1823] [1], 2–3, [1] pp., self wrappers.

139. [Kennedy, Thomas]. House of Delegates, Bill No. 25. An Act To provide a revenue for the support of the government of this state. [Annapolis, 1823] 1–4 pp., self wrappers.

140. [Kennedy, Thomas]. House of Delegates, Bill No. 69. An Act To repeal certain parts of the act of Assembly, passed at April Session, 1715, Chapter 41, imposing amerciaments, and to lay a tax on Original Writs. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

141. [Kennedy, Thomas]. Additional Report Of The Committee Of Ways And Means. December Session, 1822. Annapolis: Jeremiah Hughes, Printer. 1823. [2], 3–4 pp., self wrappers.

142. [Kennedy, Thomas]. House Of Delegates, Bill No. 73. A Further Supplement To the act, entitled, "A supplement to the act, laying duties on Licenses to Retailers of Dry Goods, and for other purposes," passed at December Session, eighteen hundred and twenty-one, Chapter two hundred and forty-six. [Annapolis, 1823] 1–5, [1] pp., self wrappers.

143. [Kennedy, Thomas]. Report Of The Committee Of Ways And Means. December Session, 1822. Annapolis: J. Hughes, Printer. 1823. Shoemaker 13239 says [ii], 7 pp., but actually it is [2], 1–7, [1] pp. plus 6 folding leaves printed on the rectos only.

144. [Kennedy, Thomas]. Report Of The State Agent, For The Western Shore. December Session, 1822. Annapolis: J. Hughes, Printer. 1822. Shoemaker 9384 says [ii], 3, [iii] pp., but actually it is [3], 2–3, [1] pp., 1 folding leaf printed on the recto only, [4] pp., self wrappers.

145. [Kennedy, Thomas]. House of Delegates, Bill No. 68. A Supplement To an act, entitled, An act to quiet possessions, and prevent suits at law, passed at December Session, eighteen hundred and eighteen, Chapter ninety. [Annapolis, 1823] 1–2 pp., a leaf printed on both sides.

146. [Kilgour, Alexander]. House Of Delegates. Bill No. 41. An Act To establish the Divisional Lines between Anne Arundel and Calvert Counties. [Annapolis, 182–(?)] 1–4 pp., self wrappers.

147. Kilgour, [Alexander]. House Of Delegates, Bill No. 35. An Act To repeal the act entitled, An act to repeal the act of Assembly therein mentioned, passed February seventeen, eighteen hundred and twenty-one. [Annapolis, 182-(?)] A leaf, printed on the recto only.

148. Kilgour, [Alexander]. Mr. Kilgour. Report Of The Committee On The Boundary Lines Of Anne Arundel And Calvert Counties. December Session, 1823. Annapolis: J. Hughes, Printer. [3], 4-5, [1] pp., self wrappers.

149. Kilgour. [Alexander]. Mr. Kilgour's Preamble And Resolutions, Respecting Bankrupt And Insolvent Laws. December Session, 1823. Annapolis: J. Hughes, Printer. [3], 4-9, [1] pp., self wrappers.

150. Knox, Samuel. A Discourse, Delivered On Occasion Of Taking Up A Collection In Behalf Of The Greeks, In The Presbyterian Church, In Frederick, On The Last Sabbath In February, 1824. By Samuel Knox, A. M. [5 lines of text] Frederick-Town, Md. Printed By Samuel Barnes. 1824. (Price Twelve and a half Cents, or One Dollar per dozen.) [3], 4-37, [1] pp., removed from a bound volume.

151. Kurtz, B., and B. C. Howard. Prayer And Address, Delivered On St. John's Day, 24th June, 1824, In Hagers-Town, At The Consecration Of The Hall Of Mt. Moriah Lodge, No. 33. By the Rev. B. Kurtz—& the M. W. Grand Master of Md. B. C. Howard, Esq. Hagers-Town: Printed by William D. Bell. 1824. [3], 4-24 pp., self wrappers.

152. [Lake, Levin]. House Of Delegates, Bill No. 30. An Additional Supplement To an act, entitled an act for amending and reducing into system, the laws and regulations concerning last wills and testaments, the duties of executors, administrators and guardians, and the rights of orphans and other representatives of deceased persons. [Annapolis, 1820(?)] 1-2 pp., a leaf printed on both sides.

153. Laws Made And Passed By The General Assembly Of The State Of Maryland, At a Session of the said Assembly, which was begun and held in the State House, at the city of Annapolis, in the county of Anne-Arundel, on the last Monday of December, (to wit, the twenty seventh day of the month,) A. D. 1830, pursuant to the Constitution and Form of Government of the said State, and concluded on Thursday the twenty fourth day of February, A. D. 1831, in the 56th year of the Independence of the United States of America. Published By Authority. Annapolis—Printed. By J. Green. 1831. [3], 4-326, [I], II-X pp., self wrappers.

154. [Lee, Archibald]. House of Delegates, Bill No. 57. An Act To Incorporate the Potomac Canal Company. [Annapolis, 1823] 1-24 pp., self wrappers.

155. Letter From The Directors Of The Penitentiary To The Speaker Of The House Of Delegates, Respecting alterations in the Building. Published By

Authority. Annapolis: Printed by Jeremiah Hughes. 1826. [3]-4 pp., removed from a bound volume.

156. A List Of Invalid Pensioners. December Session, 1822. Annapolis: J. Hughes, Printer. 1822. Shoemaker 9375 says that this is a broadside, when actually it is a title page leaf and 3 folding leaves, all printed on the rectos only.

157. [Loockerman, Theodore R.]. House Of Delegates, Bill No 4. An Act To alter the time of the meeting of the General Assembly of this State, and for other purposes. [Annapolis, 1822] 1–3, [1] pp., self wrappers.

158. [Loockerman, Theodore R.]. House of Delegates, Bill No. 37. A Supplement To the act entitled, An act for the more effectual preventing of forging, and to make it a felony to steal bonds, notes, or other securities, for the payment of money. [Annapolis, 1823] 1–2 pp., a leaf printed on both sides.

159. [Mackubin, George]. Communication From The Treasurer of the Western Shore To The House Of Delegates, In Obedience to Thir [*sic*] Order Of The 18th Ult, Enclosing Statements From The Several Banks. Annapolis: J. Hughes, Printer. 1830. Cooper 2416 says 4 pp.—it actually is [4] pp.—and does not mention that there also are 8 folding leaves printed on the rectos only.

160. [Mackubin, George]. Correspondence Between The Treasurer Of The W. Shore Of Maryland, And The Third Auditor Of The United States Treasury, [4 lines of text]. Annapolis: Printed By Jeremiah Hughes. 1827. Shoemaker 29638 says 35 pp., but it actually is [3], 4–35, [1] pp. plus 3 folding leaves printed on the rectos only.

161. [M'Donald, Wm.]. Report Of The Directors, Of The Maryland Penitentiary, Made To The Executive, And Communicated by His Excellency, Governor Kent, to the Legislature, at December Session, 1828. Baltimore: Printed At The Office Of Niles' Register, Water St. 1829. [3], 4–10, [6] pp., removed from a bound volume.

162. [M'Henry, John]. House Of Delegates, Bill No. 53. An Act For the valuation of real and personal property in the several counties of this state. [Annapolis, 1823(?)] 1–32 pp., self wrappers.

163. [Martin, —]. House Of Delegates, Bill No. 12. An Act To prevent the unnecessary accumulation of costs on suits instituted upon any bond or note. [Annapolis, 182–(?)] 1–3, [1] pp., self wrappers.

164. [Maxcy, V.]. Report Of The Committee Of Ways And Means, To The Legislature of Maryland, Made On The 4th Of February, 1826, On The State Finances. Published By Authority. Annapolis: Printed by Jeremiah Hughes, Church-st. 1826. [3], 4–24 pp., self wrappers.

165. Meeting Of Young Men. . . . [Baltimore (?), 1831] A leaf, printed on both sides.

166. Mercein, William A. Letter From William A. Mercein, To His Excellency The Governor Of Maryland, On The Discipline Of Militia, Communicated By The Governor. December Session, 1822. Annapolis: J. Hughes, Printer. 1823. [4] pp., self wrappers.

167. [Millard, John L.]. House Of Delegates. Bill No. 45. An Act Concerning Divorces. [Annapolis, 1822, 1823 or 1825] 1–18 pp., self wrappers.

168. Millard, [John L.]. House of Delegates, Bill No. 6 An Act To pay the Civil List and other expences [*sic*] of Civil Government. [Annapolis], 1822. A leaf, printed on the recto only.

169. [Millard, John L.]. House Of Delegates, Bill No. 60. A Bill Relative to Trespasses Quare Clausum Fregit. [Annapolis, 1823] 1–2 pp., a leaf printed on both sides.

170. [Millard, John L.]. Resolutions, Relative To Internal Improvement. As the representatives of the people of Maryland, . . . [Annapolis, 1823] 1–4 pp., self wrappers.

171. [Miller, William C.]. In Senate, Bill No. 4. An Act To alter and amend the Constitution of the state, so that the Governor may be elected by the people. [Annapolis, 1822] 1–5, [1] pp., self wrappers.

172. [Miller, William C.]. In Senate, Bill No. 7. An Act. To Alter and amend the Constitution of this State, so that the Governor may be elected by the People. [Annapolis, 1822] 1–6 pp., self wrappers.

173. [Moffett, —]. House Of Delegates. Bill No. 46. An Act To abolish Imprisonment for Debt. [Annapolis, n.d.] 1–3, [1] pp., self wrappers.

174. Morning Visits To The Rector's Study; Or, Conversations Between A Clergyman, And A Parishioner With His Friend, On The Subject Of Baptism. [at page top—Series of Tracts. No. 79] Published by the Protestant Episcopal Female Tract Society of Baltimore. Price Three Cents, or $2.25 per hundred. John D. Toy, Printer. 1831. [3], 4–36 pp., self wrappers.

175. [Mosher, James]. Documents Respecting The Maryland Penitentiary. December Session, 1822. Annapolis: J. Hughes, Printer. 1822. Shoemaker 9373 correctly states [iv] pp. but fails to mention that there also are 6 folding leaves printed on the rectos only.

176. Ordinances Of The Corporation Of The City of Baltimore; Passed At The Extra Session In 1824, And At The January Session 1825. To Which Is Annexed,

A List Of The Officers Of The Corporation, The Summary Of The Register, The Annual Reports Of The Health Commissioners, City Commissioners And Wardens Of The Port. Also, The Returns Of The Different Officers Of The Corporation. Baltimore: Printed By William Wooddy, 1825. [3], 4–64, [9], 2–7, [9] pp., self wrappers.

177. Osbourn, James. Strictures On A Piece Entitled "Zion's Call;" Written By A Layman, And Inserted In The Boston Recorder Of January 26th, 1825. By James Osbourn, Minister Of The Gospel. [2 lines of text] Baltimore: Printed By John D. Toy. 1826. [iii], iv–v, [ii], 8–121, [3] pp., removed from a bound volume.

178. [Parker, Caleb]. House of Delegates, Bill No. 63. A Further Supplement To an act, entitled, A supplement to An act, entitled, an act to incorporate a company for the purpose of cutting and making a canal between the river Delaware and Chesapeake Bay. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

179. A Pastoral Letter From The Ministers, Or Bishops, And Ruling Elders Of The Presbytery Of Baltimore To All Under Their Respective Charges; On Various Duties; But, Especially On The Religious Education of their Youth. [2 lines of text] Baltimore: Printed By Warner & Hanna. 1811. [3], 4–24 pp., removed from a bound volume.

180. [Peter, George]. House Of Delegates, Bill No. 10. An Act To establish the Electoral Districts for President and Vice President of the United States. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

181. Petition Of Charles F. Pochon & Eulalie M. L. Pochon To The Hon. The General Assembly Of Maryland. 1826. [Baltimore, John D. Toy, Printer] [3], 4–8 pp., removed from a bound volume.

182. [Pitt, John R. W.]. House Of Delegates, Bill No. 50. An Act To prohibit the Manumission of Slaves by last Will and Testament, and for other purposes. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

183. Pitt, [John R. W.]. Mr. Pitt. Report Of The Committee Appointed To Inspect The Situation Of The Maryland Penitentiary. December Session, 1823. Annapolis: J. Hughes, Printer. [3], 4–24 pp., self wrappers.

184. Pitt, [John R. W.]. Mr. Pitt. Report On The Penitentiary. December Session, 1823. Annapolis: Jeremiah Hughes, Printer. [3], 4–6 pp., self wrappers.

185. Pitt, [John R. W.]. Mr. Pitt's Resolutions Relative To A Congressional Caucus. December, Session, 1823. Annapolis: Jeremiah Hughes, Printer. [2], 3–6 pp., self wrappers.

186. [Pratt, Henry R.]. House Of Delegates, Bill No. 72. An Act To regulate Executions. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

187. [Price, —]. Senate, Bill No. 10. An Act To amend the law in certain cases. [Annapolis, n.d.] 1–3, [1] pp., self wrappers.

188. [Price, —]. Resolutions Relating To Equity Jurisdiction. The Committee appointed to . . . [Annapolis, 1821–1824] [1], 2–5, [1] pp., self wrappers.

189. [Purnell, John S.]. House Of Delegates, Bill No. 29. A Supplement To the Act entitled, "An act to prohibit the emigration of Free Negroes into this State." [Annapolis, 1830 or 1831] 1–3, [1] pp., self wrappers.

190. [Purviance, Robert]. House Of Delegates, Bill No. 59 An Act Relative to Partnerships. [Annapolis, 1823] 1–7, [1] pp., self wrappers.

191. [Purviance, Robert]. House of Delegates, Bill No. 46. An Act To incorporate an Office for the Deposit and Exchange of Current Bank Notes. [Annapolis, 1823] 1–5, [1] pp., self wrappers.

192. [Purviance, Robert]. House of Delegates, Bill No. 15. An Act To incorporate The Asbury Sunday School Society. [Annapolis, 1822] 1–3, [1] pp., self wrappers.

193. [Purviance, Robert]. House Of Delegates, Bill No. 52. A Further Supplement To the act, entitled, an act relating to servants and slaves. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

194. Purviance, [Robert]. House of Delegates, Bill No. 55. A Supplement To the act, entitled, "An act taxing or licensing certain dealers in Lottery Tickets and others." [Annapolis] 1823. A leaf, printed on the recto only.

195. Report Of The Committee Of Claims, On Examination Of The Documents And Proceedings Of The Treasurer Of The Western-Shore Of Maryland, Exhibiting A View Of The Receipts And Disbursements At The Treasury, [6 lines of text]. Published By Authority. Annapolis: Printed by Jeremiah Hughes, Church street. 1826. [3], 4–6, [2] pp. plus 7 folding sheets printed on the rectos only, removed from a bound volume.

196. Report Of The Committee of Claims On The Accounts Of The Treasurer Of The Eastern Shore Of Maryland. January 8, 1830. Cooper 2443 says 4 pp. but it actually is [3]–4 pp. plus 3 folding leaves printed on the rectos only.

197. Report Of The Committee Of Claims On The Annual Report Of The Auditor Of The State Of Maryland, Transmitted To The House of Delegates, at December session, eighteen hundred and twenty-five, with the accompanying Documents. Published By Authority. Annapolis: Printed By J. Hughes. 1826. [4] pp. only, the "accompanying Documents" not being present, removed from a bound volume.

198. Report Of The Committee of Claims On The State And Condition Of The Treasury W. S. Published By Authority. [Annapolis] Printed by J. Hughes. 1826. [3], 4–6, [2] pp. plus 2 folding leaves printed on the rectos only, removed from a bound volume.

199. Report Of The Committee Of Claims, Relative to the proceedings Of William Richardson Esq. Treasurer Of The Eastern Shore Of Maryland. December Session, 1822. Annapolis: J. Hughes, Printer. 1822. Shoemaker 9379 says [vi] pp., which is correct, but fails to mention that there also are 5 folding leaves printed on the rectos only.

200. Report Of The Committee Of Claims, Relative To The Treasurer Of The Eastern Shore. December Session, 1823. Annapolis: J. Hughes, Printer. [4] pp. plus 4 folding leaves printed on the rectos only, self wrappers.

201. Report Of The Committee Of Ways and Means, On The State Of The Finances. January 24, 1825. Annapolis: J. Hughes, Printer. Shoemaker 21344 says 31 pp. (actually it is [3], 4–31, [1] pp.), and "on the finances of the state."

202. Report Of The Committee On Internal Improvement, To The House Of Delegates Of Maryland, February 10th, 1826—With the Accompanying Bills. Published By Authority. Annapolis: Printed by Jeremiah Hughes, 1826. [3], 4–23, [1] pp., removed from a bound volume.

203. Report Of The Directors Of The Maryland Penitentiary. December Session, 1823. Annapolis: Jeremiah Hughes, Printer. [cover title] Executive Communication Respecting The Maryland Penitentiary. December Session, 1823. Annapolis: Jeremiah Hughes, Printer. [8] pp. plus 7 folding leaves printed on the rectos only, self wrappers.

204. Report Of The Lottery Commissioners, Of The State Lottery, Number II. [cover title] Documents Transmitted To The Senate And House Of Delegates, By The Executive, Concerning The State Lottery, No. 2. December Session, 1823. Annapolis: J. Hughes, Printer. [5], 6–16 pp., self wrappers.

205. Report Of The Lottery Commissioners To The Legislature Of Maryland. Published By Authority. Annapolis: Printed by Jeremiah Hughes, Church street. [1826] [3], 4–7, [1] pp., removed from a bound volume.

206. Report Of The President And Directors Of The Union Bank Of Maryland To The Stockholders, On The Ninth Day Of June, 1830. N. p. [3], 4–53, [1] pp., removed from a bound volume.

207. Report Of The Visitors And Governors Of The Jail Of Baltimore County. N. p. [1831] Bruntjen and Bruntjen 5876 say 11 pp., but it actually is [3], 4–9, [1], 15, 13, 12, [3] pp., self wrappers.

208. Resolutions Of The General Assembly Of Tennessee Disapproving Of A Congressional Caucus, Communicated To The Governor Of Maryland. December Session, 1823. Annapolis: Printed By J. Hughes. [2], 3, [1], 4, [2], 8–14, 16, [1] pp., self wrappers.

209. Returns From The Several Banks. December Session, 1830–31. Annapolis–Printed By J. Green. 1831. [3], 4–7, [1] pp. plus 4 folding leaves printed on the rectos only, removed from a bound volume.

210. [Richardson, Wm.]. Report Of The Treasurer Of The Eastern Shore In compliance with the order of the House of Delegates of the 9th and 13th December. December Session, 1822. Annapolis: J. Hughes, Printer. 1823. Shoemaker 13240 says [iv] pp. but fails to mention that there also are 2 folding leaves printed on the rectos only.

211. [Saulsbury, Thomas(?)]. House Of Delegates, Bill No. 50. An Act To regulate the fecs [*sic*] of Justices of the Peace of the different Counties in this State. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

212. Second Report Of The Committee Of Ways And Means, Relative To State Lotteries, &c. December Session, 1822. Annapolis: J. Hughes, Printer. 1823. Shoemaker 13241 says [ii], 3 pp., but actually it is [2], 3, 2–3, [1] pp. plus a folding leaf printed on the recto only.

213. [Semmes, Benedict I.]. House Of Delegates, Bill No. 22. An Act To provide a Revenue for the support of the Government of this State. [Annapolis, 1824] 1–5, [1] pp., self wrappers.

214. [Spence, –]. House Of Delegates, Bill No. 33. An Act Relating to writs of Certiorari and Prohibition. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

215. [Spence, –]. House Of Delegates, Bill No 7. An Act To authorise Special Courts of Oyer and Terminer and for other purposes. [Annapolis, 1822] 1–4, pp., self wrappers.

216. [Spence, –]. House Of Delegates, Bill No. 13. A Supplement To the Act entitled, An act to amend and reduce into one system the Laws to direct Decents [*sic*]. [Annapolis, 1822] 1–3, [1] pp., self wrappers.

217. Stansbury, [Tobias E.]. House Of Delegates, Bill No. 58. A Further And Additional Supplement To an act, entitled, An act concerning crimes and punishments. [Annapolis] 1823. A leaf, printed on the recto only.

218. A Statement Of Monies Advanced, To The Potomac And Susquehanna Commissioners. December Session. 1823. Annapolis: Printed by J. Hughes. [4] pp., self wrappers.

219. [Stevens, Samuel, Jr.]. Executive Communication Respecting Arms And Military Stores. December Session, 1823. Annapolis: J. Hughes, Printer. [4] pp. plus 12 folding leaves, 1–4 pp. plus 2 folding leaves, 1–5, [1] pp., all folding leaves printed on the rectos only, self wrappers.

220. [Stevens, Samuel, Jr.]. Executive Communication To The Genreal [*sic*] Assembly Of Maryland. December Session, 1823. Annapolis: Printed By J. Hughes. [3], 4–17, [1] pp., self wrappers.

221. [Stewart, Charles R.]. House Of Delegates, Bill No. 23. An Act To repeal all such parts of the constitution and form of government as relate to citizens of Annapolis being eligible to represent Anne Arundel county in the House of Delegates. [Annapolis, n. d.] 1–2 pp., a leaf printed on both sides.

222. House Of Delegates. Bill No. 44. A Supplement To the act, entitled, an act relating to Sheriffs, and for other purposes; passed at December session, eighteen hundred and thirteen. [Annapolis, n. d.] 1–4 pp., but lacking the rest of the text.

223. [Teackle, Littleton D.]. House of Delegates, Bill No. 54. An Act To impose and collect a tax upon such parts of the estates of deceased persons as avoid assessment. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

224. [Teackle, Littleton D.]. House of Delegates, Bill No. 39. An Act To incorporate a Society for the promotion of useful Arts. [Annapolis, 1823] 1–4 pp., self wrappers.

225. [Teackle, Littleton D.]. House Of Delegates, Bill No. 51. An Act To provide for the Public Instruction of Youth throughout this State, and to promote the important interests of Husbandry and Agriculture. [Annapolis, 1823] 1–24 pp., self wrappers.

226. [Teackle, Littleton D.]. House Of Delegates, Bill No. 70. An Act To regulate Sales by Public Auction. [Annapolis, 1823] 1–18 pp., self wrappers.

227. Teackle, [Littleton D.]. [Mr. Teackle.] Report Of The Select Committee To Which Was Referred The Memorials And Petitions Of Great Numbers Of Citizens Of Different Counties, Praying The Establishment Of A Financial Institution, Under The Style Of The Bank Of The State Of Maryland. Annapolis—Printed By J. Green 1831. [3], 4–49, [1] pp., self wrappers.

228. Teackle, [Littleton D.]. Resoluting Relating To Foreign Trade. [Annapolis, n.d.] A leaf, printed on the recto only.

229. The Third Annual Report Of The Female Auxiliary Bible Society Of Baltimore, Presented and read at the anniversary meeting held in the first Presbyterian Church on the third of Aprill, 1817: To Which Is Annexed, A List

Of Subscribers And Benefactors. Baltimore: Printed By Order Of The Society. Pomeroy & Toy, printers. 1817. [3], 4–26, [2] pp., plain gray wrappers.

230. [Thomas, Francis]. House of Delegates, Bill No. 56. An Act For the relief of the Westminster, Taney Town and Emmittsburg Turnpike Road Company. [Annapolis, 1823] 1–5, [1] pp., self wrappers.

231. [Thomas, Francis]. House Of Delegates, Bill No. 53. An Act To limit and ascertain the number of Justices of the Peace. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

232. [Thomas, Francis]. House of Delegates, Bill No. 31. An Act To restrain and punish trespassers. [Annapolis, 1823] 1–2 pp., a leaf printed on both sides.

233. To The Honorable The General Assembly of Maryland, The memorial of the president and managers of the Baltimore and Reister's town turnpike road company, of the Baltimore and Frederick town turnpike road company, . . . [Baltimore, 1819] [1], 2–15, [1] pp., removed from a bound volume.

234. To The Honorable The General Assembly of Maryland. The petition of the committee, authorised and empowered by the citizens of the State of Maryland, . . . [Baltimore, 1822] [1], 2–4 pp., self wrappers.

235. The Town & Country Song-Book. Consisting Of A complete collection of the most admired American And English Songs, Ballads, Glees, &c. [12 lines of text] First Baltimore Edition. Baltimore: Printed by Warner & Hanna, . . . 1805. [5], 6–104 pp., pp. 83–86 missing, removed from a bound volume.

236. Votes And Proceedings Friday, February 13, 1824. [Annapolis] A leaf, printed on both sides.

237. [Waters, Ramsay]. Report Of The Register In Chancery. December Session, 1823. Annapolis: Jeremiah Hughes, Printer. [4], 5–7, [1] pp., self wrappers.

238. [Wharton, Charles Henry]. A Letter To The Roman Catholics Of The City Of Worcester, From The Late Chaplain Of That Society. [23 lines of text] State of Maryland. [second title, p. 51] To The Roman Catholics Of The State of Maryland, Especially those of St. Mary's County. No publisher, n. p., n. d. [3], 4–56 pp., removed from a bound volume. This is Wheeler 361, but he had never seen a copy. The Short Title Evans 44631 locates only the second title, and indicates that it was done by Frederick Green in Annapolis in 1784.

239. Winder, [—]. Mr. Winder's Resolutions Relative To South America. December, Session, 1823. Annapolis: Jeremiah Hughes, Printer. [3], 4–8 pp., self wrappers.

240. [Winder, —]. In Senate, Bill No. 12. A Supplement To the act, entitled, an

act to carry into execution a resolve of the congress of the United States, respecting the safe keeping of persons committed under the authority of the United States, to gaols of this state. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

241. Woodville, William. Correspondence. The language which Mr. Creighton has presumed to use in his note, No. 11, obliges me to lay the following correspondence before the public. William Woodville. Baltimore, 21st Sept. 1822, Saturday night. [1], 2–7, [1] pp., self wrappers.

242. [Wooton, —]. In Senate, Bill No. 11. An Act Relating to the third and fourth districts, for choosing electors of President and Vice President of the United States. [Annapolis, 1823] 1–3, [1] pp., self wrappers.

243. [Worthington, W. G. D.]. House Of Delegates, Bill No. 11. An Act For guarding personal liberty in civil suits. [Annapolis, n. d.] 1–4 pp., self wrappers.

244. [Worthington, W. G. D.]. House Of Delegates, Bill No. 20. An Act For the relief of Patrick Blue, of the City of Baltimore. [Annapolis, n. d.] A leaf, printed on both sides.

245. [Worthington, W. G. D.]. House Of Delegates. Bill No. 39. An Act To amend and reduce into system the Laws and Regulations, relating to the appointment of Justices of the Peace, and to define their jurisdiction and power. [Annapolis, n. d.] 1–43, [1] pp., self wrappers.

246. Worthington, W. G. D. An Act To provide for making the Baltimore Canal. January 20, 1824. [Annapolis] J. Green, Print. [1], 2–10 pp., self wrappers.

247. [Worthington, W. G. D.]. House Of Delegates, Bill No. 25. An Act To provide for the improvement of the Internal Navigation of this State. [Annapolis, n.d.] 1–4 pp., self wrappers.

248. [Worthington, W. G. D.]. House Of Delegates, Bill No. 6. An Act To Reform the Constitution of this State. [Annapolis, n.d.] 1–41, [1] pp., self wrappers.

INDEX

Genealogica Marylandia

Major Samuel Lane (1628–81): His Ancestry and Some American Descendants

A. RUSSELL SLAGLE

SAMUEL LANE WAS BORN IN 1628, PROBABLY IN LONDON.[1] LATER WE WILL SEE THAT HIS father was Richard Lane, and his mother Alice Carter. First, however, let us look to his background. We shall also see that Samuel had a double first cousin, John Lane, who in 1670 left "several pieces of plate engraven with his name and arms" to Bread Street Ward Church in London.[2] I have seen this plate and made several sketches of the arms. It is obvious that these are the Lane arms described as follows: "per pale azure, and gules three saltires couped argent: issuant from a crescent or two Eagles' Heads the dexter gules the sinister-azure." In a letter dated August 19, 1970, Mr. J. P. Brooke-Little Esqre., M. A., F. S. A. Richmond Herald of Arms, College of Arms, London, states that the first mention of these arms "is in the 1564 Visitation of Northampton (HH. folio 46 r). The pedigree recorded here begins with William Lane of Orlybere, County Northampton. He had four sons, Raufe (Ralph), William, John and George." After further informative data Mr. Brooke-Little ends his letter by saying: "The conclusions I am inclined to draw from this miscellaneous evidence is that the arms were probably of greater antiquity than the crest and may well have been used since the early 15th century by a family of Lane of Northampton or environs."[3] Turning to *Burke's Landed Gentry* under Lane of Badgemore, which family bore the above arms, we find: "This branch of the Lane family is of some antiquity in Co. Northampton. In 1469 (9 Edward IV) William Lane was possessed of Orlingbury Manor or Lordship, and died 1546, leaving it to his eldest son Sir Ralph Lane."[4] Surely the most important genealogical tie in this branch of the Lane family is the marriage of this last named Sir Ralph Lane to Maud Parr, first cousin of Katherine Parr, King Henry VIII's sixth and last wife. Their son, another Sir Ralph Lane, sailed up our Chesapeake Bay in 1585–86, and it is said he was the first white man to do this.[5]

Many branches of the Lane family bore the above coat of arms. From Burke's *General Armour* we find: "Lane (Wycombe, Co. Bucks; Allhallow-Gussing, Co. Dorset; *Herefordshire;* Lord Mayor of London, 1695; Courteen Hall, Hanler Twinden, Horton and Walgrave, Co. Northampton; Somersetshire and Yorkshire). Per pale, az. gu. three saltires ar. Crest-Two eagles' heads issuant out of a crescent or, the dexter gu. the sinister az."[6] Note we italicized *Herefordshire,* for it is here we can document "our" Samuel Lane's

---

A. Russell Slagle is a Baltimore genealogist.

1. John Camden Hotten, *The Original Lists of Persons of Quality . . . Who Went From Great Britain to the American Colonies 1600–1700* (New York, 1874), pp. 67, 68.
2. Robert Seymour [John Mottley], *A Survey of the Cities of London and Westminister,* 2 vols. (London, 1733–35), 1: 708.
3. Letter dated August 19, 1970, to A. Russell Slagle.
4. Sir Bernard Burke, *A Genealogical and Heraldic History of the Landed Gentry of Great Britain and Ireland,* 2 vols. (London, 1882), 2: 926.
5. *Dictionary of American Biography,* s.v. "Lane, Ralph"; *Dictionary of National Biography,* s.v. "Lane, Ralph."
6. Sir Bernard Burke, *The General Armory of England, Scotland, Ireland, and Wales* (London, 1884), p. 581.

The Coat of Arms of John Lane (d. 1670), of Bread Street Ward Church, London.

earlist Lane ancestor. Muriel Tarkin of Hereford and Hector Carter of Guildford, Surrey, have sent us records from Saint Peters Church in Hereford, and from these we find Roger Lane, apothecary, and his wife Beatrix baptizing their ten children between January 29, 1590, and January 10, 1602.[7] However, the records also state that Roger Lane, the father, was buried April 30, 1603, leaving the mother, Beatrix, with eight living children ranging from the ages of twelve to one – not a particularly happy outlook for a young mother. It is their son Richard Lane, baptized August 27, 1596, who is of particular interest to us. He was six years old at the time of his father's death.

We can only guess that the son, Richard, grew up in the city of Hereford, and how the mother, Beatrix, managed is another guess. We find no record of her remarrying.[8] But before leaving Hereford we should note that the Lanes who remained in County Hereford are known as the Lanes of Ryelands, and under the "Lineage" of this family we find: "This branch of the family of Lane has been settled for many generations in county Hereford and represents the very ancient house of Rodd of the Rodd."[9] However, the Lanes did not marry into the Rodd family until about 1737, when Theophilus Lane of Hereford married Julian Rodd (born in 1717), daughter of Bramfylde Rodd,[10] so by that time "our" Samuel, subject of this sketch, had been dead and buried many years in Anne Arundel County, Maryland.

Richard Lane must have left Hereford and come to London as a very young man, for on December 14, 1613, we find him apprenticed to Nathaniel Thornhull of Birchin Lane, London, for seven years.[11] Nathaniel Thornhull was a "merchant taylor" (tailor) and on

---

7. From records of St. Peters Church at Hereford, England: "baptized 27 Aug. 1596 Richard son of Roger and Beatrix wife, poticary [apothecary]."
8. *Ibid.*: "Beatrix, daughter of Beatrix Lane, widow married 4 May 1609 Jonas Meredith, apothicarie"; since the bride's father, Roger Lane, had been an "apothicarie," we can guess that Meredith might have been an apprentice to Roger, who married "the boss's daughter" and carried on the business.
9. Burke, *Landed Gentry*, 2: 927.
10. *Ibid.*
11. "Letter from Mr. Evan James, clerk of the Merchant Taylor's Company: 'Richard Lane, son of

February 26, 1620, Richard Lane was admitted as a freeman of The Merchant Taylors Co.[12] He was twenty-four years old.

The young merchant tailor apparently prospered, because we find in the Bishop of London's Registry, in the records of Saint Mildred Poultry, London, for October 7, 1623, that Richard Lane married[13] Alice Carter (baptized August 24, 1603[14]). She was the daughter of Humfry Carter, citizen and Iremonger of London, and mentioned in his will (dated April 11, 1621; proved London June 1, 1621) as "under 21 and unmarried."[15] Shortly after this we begin to see the unorthodox-nonconformist-Puritan restlessness stirring in this Lane family, and this restlessness can be readily followed. Apparently Richard was not secretive about his opinions, and obviously said what he thought, for in October 1631 we find "Examination of Richard Lane, taylor" recorded in the book *Antinomianism in English History* by Gertrude Huehns.[16] Richard did not like the examination. He began looking around—what should he do, where could he go? Children were coming along—Samuel, born 1628; Jo, born 1631; Oziell, born 1632—so he must have felt a responsibility at home. Nevertheless, Richard Lane wanted to go where he could be himself. Consequently he took a trip to the West Indies, doubtless with the "incorporation." *The Calendar of State Papers*[17] is our best source of information for that period, so let us have them speak for themselves.

> August 31, 1632 (vol. 1, p. 155): a letter from Thomas Wiggin to Master Downing. Complains of the carriage of an unworthy person, Sir Christopher Gardiner, who has lately returned from New England, where he went more than two years ago. Isaac Allerton informed against him to the Governor. Would push some means to stop his mouth, having most scandalously and basely abused "that worthy Governor, Mr. Winthrop." Hopes *Lane, a merchant tailor, who has been in the West Indies,* will talk with Mr. Humphreys concerning a certain staple commodity, which he desired to plant in New England. "Staple commodities are the things they want there." "Need not declare the happy proceedings and welfare of New England. It is a wonder to see what they have done in so small a time."
>
> February 15, 1633 (p. 159): Minutes of a Court for Providence Island—Agreement with *Mr. Lane* to ship himself in the Company's pinnace for Fonseca, if that island be not discovered to Providence, to plant his madder (a small plant, the root of which was used to make a red dye), teach his skill to the inhabitants, and be an agent for the Company in other parts of the Indies. A pattern of drugs and commodities likely to be procured in the Indies to be "sent along with the Indian" for their better discovery.
>
> February 18, 1633 (p. 159): Minutes, etc. . . . Eight more servants assigned to *Mr. Lane* to be sent to Fonseca. . . .
>
> March 26, 1633 (p. 161): Minutes, etc. . . . After debate the intended voyage to Fonseca is respited; the pinnace to be forthwith dispatched to Providence and

---

Roger Lane of the city of Hereford, Apothecary, deceased, was apprenticed to Nathaniel Thornhull of Birchin Lane (London) for 7 (seven) years from the 14th Dec. 1613, and was admitted to the Freedom of the company on the 26th Feb. 1620' " (quoted from Hector Carter to the author, October 21, 1961).

12. *Ibid.*

13. See also Reginald M. Glencross, ed., *A Calendar of the Marriage License Allegations in the Registry of the Bishop of London, vol. 1, 1597-1648,* vol. 62 of *The Index Library* (London, 1937), p. 56.

14. Church records of the Parish of Saint Mildred Poultry in the County of London, now in the Guildhall, London.

15. Will of Humfrey Carter (P.C.C. 60 Dale).

16. P. 62n.

17. Great Britain, *Calendar of State Papers, Colonial Series . . . 1574 to 1660* (London, n.d.), vol. 1.

touching at Association to take in Cpt. Hilton and such persons as he may appoint for discovery of trade in the Bay of Darien. Mr. Hook to have his full member of servants, *Mr. Lane* but six, with an addition by the next ship. . . .

April 10, 1633 (p. 162): Letter from the Company of Providence Island to Captain Bell, Governor. . . . Twenty passengers now sent over. Desire he will assign portions of land in the most convenient places to Mr. Hook, Mr. Bradley, and *Mr. Lane*. Request that *Mr. Lane* may be afforded every facility for planting his madder. Direct him to entertain Capt. Hilton with all fitting courtesy should he go in the pinnace to Providence, and to allow *Lane* and Roger Floud to accompany Hilton.

April 15, 1633 (p. 164): Instructions from the Company of Providence Island to *Richard Lane*, bound in the Elizabeth to the West Indies. On his arrival at Association, if Capt. Hilton resolve not to accompany him, to receive from him and Capt. Bell directions for "our intended trade." If Capt. Hilton goes, to accompany him to Providence, and after planting his madder to depart with Capt. Hilton for managing the trade, an account of which is to be kept. Preservation, making inventories, and sending home the commodities procured; if of value, to be kept with all possible secrecy. To receive instructions from Capt. Hilton and the Governor and Council of Providence and to accompany the goods home if he see cause.

April 15, 1633 (p. 164): London—Instructions from the Company of Providence Island for *Rich. Lane,* in case Capt. Hilton does not go with him from Association to Providence. After having planted his madder, to take on board Roger Floud and other persons not to exceed eight, as the Governor and Council or Providence think fit. To go to the Bay of Darien, with goods for trade. To provide against fear of discovery by the Spaniards, and foul weather. To use means to ingratiate himself and company with the Indians. . . .

November 23, 1633 (p. 172): Minutes, etc. . . . *Mrs. Lane* to receive 10£ for a half a years wages due her husband. . . .

November 17, 1634 (p. 193): Minutes, etc. . . . Fifteen pounds to be paid to *Rich. Lane* for a half a year's service at the Bay of Darien. Recompence to those employed with him in that voyage to be considered.

December 2, 1634 (p. 193): Minutes, etc. . . . Propositions by Mr. Hart concerning goods delivered to *Mr. Lane* at Association. Statement of Mr. Treasurer's accounts allowed, and Mr. Treasurer fully discharged. . . .

February 5, 1635 (p. 196): Minutes, etc. . . . *Mr. Lane* agrees to return to Providence by the next ship, at the request of the Company; if any plantation is settled upon the main, he is to have liberty to remove there. Accounts ordered to be made out, of money disbursed by Company for him. He is requested to put in writing his information of some miscarriages in the government there, "that they [the Company] might reprove reform, and order things as shall be fit. . . . "

February 9, 1635 (p. 196): Minutes, etc. . . . Mr. Woodcock's offer to lend his ship of 150 tons for 110£ monthly, including victuals and mariners' wages, after her unlading at Saint Christophers, accepted, an opportunity having presented itself to take over a minister, *Mr. Lane,* Mr. Sherhard's wife, and some servants, whereby Mr. Sherhard's stay in Providence will be confirmed, and the planters much encouraged. . . .

February 20, 1635 (p. 197): Minutes, etc. . . . As an encouragement to *Mr. Lane* it is agreed to recommend to the General Court to admit him a Councillor in Providence, and that 20£ be lent to him.

February 22, 1635 (p. 197): Minutes, etc. . . . The proposition for *Mr. Lane* to be of the Council of Providence is debated, and several considerations submitted by the Treasurer (John Pym) answered, but the Treasurer refused to give his opinion. . . .

March 9, 1635 (p. 199): Minutes etc. . . . Concerning the proposition to appoint *Mr. Lane* of the Council in Providence; Mr. Treasurer states his objections, but *Mr. Lane* is declared to be legally elected by the major part of the Committee. Mr. Treasurer's reasons for consenting to *Mr. Lane's* election. . . .

Here we leave *The Calendar of State Papers* a moment, and quote another source:[18]

16 Aprilis 1635—Theis p'ties hereafter expressed are to be transported to the Island of Providence imbarqued in ye Expectation Corneilius Billing Mr, having taken the Oaths of Allegiance and Supremacie; As likewise being conformable to the Church of England; whereof they brought testimonie from the Ministers and justices of peace, of their Abodes:

Richard Lane	38 (his age)
Alice Lane	30
Samuel Lane	7
Jo: Lane	4
Oziell Lane	3

And now we return to *The Calendar of State Papers*.

April 20, 1635 (p. 202): Letter from the Company of Providence Island to Capt. Bell, Governor. . . . Received his letter of 10 March 1634 in August last, with a full account by *Mr. Lane* of the success of their intended trade at Darien. Have ordered rewards to those eight persons who accompanied *Mr. Lane*. . . . *Mr. Lane* returns, and has liberty to choose ground in the island not already possessed, for planting madder, indigo, or other commodities . . . *Mr. Lane* to be admitted of the Council, and Lieut. Price to have liberty to come home. . . .

April 20, 1635 (p. 204): Instructions from the Company of Providence Island to Cornelius Billinger, Master of the Expectation, of London. To sail from Saint Christophers direct to Association, "otherwise called Tortuga," and ascertain whether it be in possession of the English. If so to attend *Mr. Lane* 14 days, and from thence proceed to Providence. . . .

February 26, 1636 (p. 222): Minutes, etc. . . . Inquiry into complaints against Capt. Riskinner for taking goods from *Mr. Lane* by force; striking, offering to pistol and threatening to hang him. . . .

March 29, 1637 (p. 249): Minutes, etc. . . . Assistance to be given to *Mr. Lane,* Lord Brooke's agent, in disposing of certain goods. . . .

April 16, 1638 (p. 269): Commission from the Company of Providence Island, appointing Capt. Nath. Butler, Hen. Halhead, Sam Rishworth, and Elisha Gladman to examine *Rich. Lane* concerning the enployment of a magazine of goods of large value committed to him by Lord Brooke, of which no account has been given, with authority to seize his goods, servants, plantations, and debts in case he has been negligent or unfaithful. . . .

July 3, 1638 (p. 278): Letter from Company of Providence Island to the Governor and Council—. . . . *Rich. Lane's* services not thought worthy of much recompense. . . .

January 4, 1641 (p. 317): Minutes, etc. . . . Edw. Thompson, master of the Hopewell, is authorized to permit Messrs. Sherhard, Leverton, Halhead, and *Lane,* sent

18. Hotten, *Original Lists of Persons of Quality,* pp. 67–68.

prisoners by the Deputy Governor and Council of Providence Island, to come to London to answer the objections against them. . . .

February 13, 1641 (p. 317): Minutes, etc. . . . The proceedings against Messrs. Sherhard, Leverton, *Lane,* and Halhead, sent prisoners from thence, for opposing Captain Carter in the execution of his place of Deputy Governor, to which he was appointed by Capt. Butler, who supposed himself authorized to do so, considered, and the censure and restraint declared unmerited; they are discharged from all further attendance. . . .

March 25, 1641 (p. 319): Minutes, etc. . . . *Mr. Lane* to go over and to be one of the Council. . . . Transportation of Messrs. Sherhard, Leverton, *Lane,* and Halhead, sent over as prisoners, but since discharged, to be borne by the Company. . . .

March 29, 1641 (p. 319): Letter from Company of Providence Island to the Governor and Council. . . . *Rich. Lane* . . . a standing Council for the affairs of the Plantation, Admiralty, and Council of War. . . .

August 7, 1657 (p. 457): Petition of *Alice Lane* to (the Lord Protector). Sets forth her great sufferings in the West Indies, her husband and son having been drowned in Eleuthera, and that arrears for service in England of £702. 13.6 are certified. Prays relief. Minutes: "report offered to the council that she might have a pension of 10 s. per week. The opinion and directions of the Council desired in similar cases."

Arthur Percival Newton writes that "Leverton's story goes on to tell us that 'at length the Governor [Nathaniel Butler] leaving the Island [Providence], a difference arose in the colony. He names his successor [Capt. Andrew Carter], but the people pleaded a right by charter to choose their Governor and fixed upon a person of their own nomination, one *Captain Lane.* But the other [i.e. Carter] privately arming some of the under sort, siezed *Lane* [a protegé of Lord Brooke] and both the ministers [Leverton, Sherrard and Henry Halhead] and sent them prisoners to England, with an information against them to Archbishop Laud, that they were disaffected to the liturgy and ceremonies of England. When they arrived here, the state of things was changed and Laud was in custody of the Black Rod. They were kindly received by the Lords Patentees or proprietors of the island and encouraged to return'."[19] Still further information about *Richard Lane* is contained in the diary of Nathaniel Butler, Governor of the Isle of Providence: "March 5 [1639]—The new come in dutch captain dined with me this day, Mr. Sherrard, *Mr. Lane,* and Mr. Francis were also with me this day at diner [*sic*]; as likewise Capt. Axe who came to take his leave of me." Also from this diary we quote: "March 15 [1639]—I dined att *Mr. Lane's* with most of the counsell for ye Islands."[20] Special notice should be taken of this close relationship between Capt. Nathaniel Butler and Capt. *Richard Lane,* because later in Maryland we are to find these Lanes living "next door" to these Butlers and the Lanes selling their property to them.

We probably could find more about Richard Lane in Providence, but we know that he and a son (probably Oziell) were drowned in Eleuthera before August 7, 1657,[21] and it is his son Samuel, the subject of our sketch, who claims our attention now.

Samuel Lane was seven years old when he sailed from London in "ye Expectation" April 16, 1635, with his father Richard, his mother Alice, and two brothers Jo (John) and Oziell. He may have been eight when he arrived in Providence, because "the Expectation . . . did not get away from her first port of call at St. Christophers before July 1635."[22] We

19. Arthur Percival Newton, *The Colonizing Activities of the English Puritans* (New Haven, 1914), pp. 257, 137.
20. Sloane ms. 758, pp. 143–73, British Museum.
21. *Calendar of State Papers . . . 1574–1660,* 1: 457.
22. Newton, *English Puritans,* pp. 195–96.

do not know when Samuel left Providence, but he surely was there from 1635 until Governor Nathaniel Butler left in 1640–41, when his (Samuel's) father, Richard, was nominated for Governor of the island.[23] In 1635 Samuel was 7 years old, and in 1641 he was 13—surely impressionable years for a growing boy. If Samuel's father, Richard, was close enough to Governor Nathaniel Butler to have him dine at his home,[24] surely young Samuel was not too far away, and must have heard the dangerous, thrilling, adventurous experiences Governor Butler had had on the Chesapeake Bay before coming to Providence. Butler had been governor of Virginia, and his experiences with the Indians, the freezing days and nights on the Chesapeake, and some experiences too scandalous to mention here, must have been an eyeopener for young Samuel. Governor Nathaniel Butler's half niece, Elizabeth Butler, had married William Claiborne, whose life and experiences on Kent Island in our Chesapeake Bay are too well known to describe here, but he too (William Claiborne) had been granted the Island of Roatan off the coast of Honduras by the Providence Company. It is almost a foregone conclusion Governor Butler must have told of his half niece's experiences on Kent Island, Maryland. In addition to this, Governor Butler had two half-nephews, John and Thomas Butler, who had followed their half-uncle (Gov. Nathaniel Butler), to Kent Island in the Chesapeake. We will hear more of this Butler family in Maryland.

We do not know when Samuel left the Isle of Providence, but he was probably back in England by August 7, 1657, when his mother, Alice Lane, petitioned Oliver Cromwell, the Lord Protector, for payment of £702 arrears for the services in England of her husband, Richard. She was doubtless grateful for the grant of the small pension of 10 shillings a week.[25]

We are on firm ground when on September 8, 1670, John Lane, citizen and grocer of All Hallows, Bread Street, London, draws his will (proved October 4, 1670), and leaves "to cozen Samuel Lane, clerk, 120£."[26] By this time Samuel Lane has become a "clerk" (minister), as we will see later. This is the John Lane mentioned earlier, who gave the silver plate with the Lane coat of arms to Bread Street Ward Church, London. John Lane, the testator, and Samuel Lane, the legatee, were double first cousins, their fathers John Lane (1594–1654)[27] and Richard Lane of the Isle of Providence (born 1596)[28] being brothers; their mothers were sisters: Anna (Hanna) Carter[29] and Alice Carter,[30] both daughters of Humphry Carter (will proved June 1, 1621).[31] In addition to the legacy to his double first cousin, Samuel, John Lane (will proved October 4, 1670) left "to Benjamin Lane, my brother 3000£ at 21 or marriage. If he die first his legacy to Captain John Lane my cozen and his sister, Mary Denn wife of William Denn."[32] This last named "Captain

23. *Ibid.*, p. 257.
24. Same as footnote 20.
25. Same as footnote 21.
26. Will of John Lane, citizen and grocer of London, P.C.C., 136 Penn, (8 September 1670–4 October 1670).
27. Born "John Lane, son of Roger Lane and Beatrix his wife bapt. 18 Oct. 1594" (Records of St. Peter's Church, Hereford, England).
28. Born "Richard Lane, son of Roger Lane and Beatrix his wife bapt. 27 Aug. 1596" (*ibid.*).
29. "Hanna (Anna) wife of John Lane, buried 2 Sept. 1642" at Parish of All Hallows, Bread Streat, London (tombstone inscription).
30. Baptized "1603 August the xxiii Ales (Alice) daughter of Humfrey Carter Borne the xxth of the same" (Records of the Parish of Saint Mildred Poultry in the County of London).
31. Will of Humphry Carter, drawn April 11, 1621; proved June 1, 1621, a "citizen and Iremonger" of London (P.C.C. 60 Dale): "daughters, Anna, Alice, Mary (all under 21 and unmarried)." Also see the will of Thomas Carter of St. Mildred the Virgin in Poultry, London, a "citizen and Iremonger," dated December 13, 1639; proved December 13, 1639/40 (P.C.C. Coventry): "gold ring to my cousin Anna Lane wife of John Lane."
32. Same as footnote 26.

John Lane my cozen" was the Jo[hn] Lane who at the age of four sailed for the Isle of Providence in "ye Expectation" on April 16, 1635, with his family. Mary Denn, his sister, was born about 1642[33] after arriving in Providence. They were, of course, brother and sister of "our" Samuel Lane, and also double first cousins of the testator (John Lane, will proved October 4, 1670). The testator left William Denn £1,000, and "to my said cozen Captain John Lane 1000£ if he returnes to England alive . . . to Alice Lane widow [mother of the said "Captain John Lane my cousin"] 5100 [*sic*]." To other cousins he leaves various properties in Hereford, confirming his origin from that city. Some of the other bequests are in the thousands of pounds, so this John Lane must have been a London grocer of some means. In addition to the above wills we have four other Lane (and Denn) wills, which throw considerable light on "our" Samuel, subject of our sketch.

The above John Lane, the testator, was the son of another John Lane, the elder of the parish of All Hallows, Bread Street, a citizen and grocer of London (will drawn October 10, 1654; proved December 20, 1654).[34] In addition to many bequests he left "to John and Mary, children of my brother Richard Lane, deceased 10£ each . . . to Alice Lane, late wife of my brother Richard Lane, deceased, all my lands in the parish of Kingston, Co. Hereford."

We also have the will of Alice Lane, widow (drawn August 22, 1678; proved October 22, 1678).[35] This of course is Alice Lane, widow of Richard Lane of Isle of Providence, and mother of "our" Samuel. She leaves "to my grandson Thomas Denne 50£ at twenty one. To my two granddaughters Elizabeth Denne and Alice Denne 50£ at twenty one or marriage. . . . To my son [son-in-law] William Denne 25£ for mourning for himself his wife and children, if they come to my funeral." William Denn's wife at this time was a second wife named Mary, his first wife, Mary Lane, having been buried on July 28, 1674, at All Hallows, Bread Street.[36] Another church record of All Hallows reads "4 Sept. 1678 was buried Mrs. Alice Lain, Mr. Denn's former wife's mother; she was buried upon her daughter, Mr. Denn's former wife." In the same record we also find "Burried 29 Aug. 1694 William Den, grocer by tread." In addition we have the will of William Denn, "citizen and grocer of London," (will drawn August 11, 1694).[37] Among others he mentions his wife Mary, son Thomas, mother-in-law Mrs. Anne Yate of Bristol, and brother Robert Yate.

Lastly the will of this immediate Lane family is that of John Lane, a mariner of the city of Bristol, (will drawn March 7, 1673; proved October 23, 1674): "To all other chattels, real and personal to my said wife Elizabeth. My brother-in-law, William Denn of London, grocer. To my honoured mother Mrs. Alice Lane and to my wife's mother Mrs. Alice Howell and to my said brother-in-law William Denn and to my sister his wife 10£ each for mourning, and to their children 5£ apiece. My wife to have the use of my silver tankard, silver tumbler and twelve silver spoons during her life, thereafter my tumbler six spoons to her dear son *Charles Saltonstall* and the tankard and six spoons to her dear daughter *Elizabeth Saltonstall*. [my italics]"[38] Of course, the testator is the Jo (John) Lane who sailed for the Isle of Providence and was the brother of "our" Samuel. However, of interest here is information about the prominent *Saltonstall* family of London and Boston, Massachusetts, which I do not think has come to light before. From the Vicar General of London we find the "Marriage license 5 Apr. 1671 to John Lane of All Hallows,

33. Marriage license, June 8, 1667: "William Denne of St. Bartholomew the Great London grocer, bachlor about 30 and Mary Lane of Hammersmith, spinster, about 25. License granted by the Vicar-General 8 June 1667 for the marriage of William Denne of St. Bartholomew the Great, . . . and Mary Lane. . . . To marry at Battersey, Surrey, Hammersmith, or Chiswick, Middlesex."
34. Will of John Lane (P.C.C. 31 Alchin).
35. Will of Alice Lane of London (P.C.C. 112 Reeve).
36. Tombstone inscription.
37. Will of William Denn (P.C.C. Box 168).
38. Will of John Lane of Bristol (P.C.C. 115 Bunce).

Bread Street, London Bachelor, about 41 and Elizabeth Saltingstall [note spelling] of St. Botolph's, Aldgate, London, widow, about 34 to marry at White Chapel, Stepney or St. Paul's, Shadwell, Middlesex." Who was this widow Elizabeth *Saltingstall's* former husband? Note her children's names were Charles Saltonstall and Elizabeth Saltonstall. Now from St. Botolph-without Algate burial register we find: "Buried 1665 Oct. 6 Charles Saltingstone, Towerhill, Precinct." Furthermore, from *The Records of The Virginia Company of London,* we find: "1617, March 4 A Bill of Advanture granted to S^r^S. Saltingston."[39] This Sir Samuel is undoubtedly Sir Samuel Saltonstall, Knight, son of Richard.[40] Sir Samuel married Elizabeth, the daughter of William Wye. Sir Samuel died June 30, 1640, and one of his sons was Charles Saltonstall. Sir Samuel "was named executor under the will of Captain John Smith, who was concerned in the settlement of Virginia."[41] If Charles Saltingstone was the first husband of the above Elizabeth Lane, he was surely much older than she; however, it looks as if both of Elizabeth's husbands were adventurous mariners. John Lane, the testator, in his will (proved October 4, 1670) wrote "to cozen Capt. John Lane £1000 *if he returns to England alive.*" We quote from the article in the *Dictionary of National Biography* on Charles Saltonstall: "He describes himself as a stranger to the land and his kinsfolk many long voyages having banished him from remembrance of both." This does not sound like an early marriage with children, but how about a marriage late in life? It looks as if Elizabeth Howell, wife of John Lane of Bristol (will proved October 23, 1674) had been previously married to Charles Saltonstall, son of Sir Samuel. We must consult the Boston Saltonstalls about this.

However, Samuel Lane, son of Richard Lane of the Isle of Providence and his wife Alice Carter, is the subject of our sketch. The will of John Lane (proved October 4, 1670) reads: "To cozen Samuel Lane, clerk £20." A clergyman in those days was known as a clerk. Our next reference to Samuel Lane is where he appears as minister of Long Houghton, Northumberland, married to Barbara Roddam, whose date of birth we do not know, but she was "under age in 1632." Barbara was the daughter of Edmund Roddam, who had an uncle, Matthew Roddam, living 1553.[42] We are going to find later a Matthew Roddam on Kent Island in the Chesapeake Bay who was intimately associated with the brothers John and Thomas Butler, also of Kent Island, and half-nephews of Capt. Nathaniel Butler. We will see other intimate ties between Samuel Lane and Matthew Roddam in the Chesapeake Bay area.[43]

These two Matthew Roddams (because of dates) can not be one and the same person, but the name Matthew Roddam in England, great uncle of Barbara Roddam who married Samuel Lane, is too suggestive not to be considered with the Matthew Roddam on the Chesapeake Bay and his connections with Samuel Lane of Anne Arundel, Maryland. Apparently life did not run too smoothly for Samuel Lane in Long Houghton, Northumberland. We must remember that his father, Richard, had had an "examination" for unorthodox, nonconformist, i.e. Puritan religious opinions before sailing for the Isle of Providence. Also we must remember that he still had his own ideas on the Isle of Providence, sided with the Puritan ministers in the religious disputes; and consequently was sent to England as prisoner with the Puritan ministers Leverton, Sherrard, and

39. Ed. Susan Myra Kingsbury, 4 vols. (Washington, 1906), 3: 59.
40. Richard M. Saltonstall, *Ancestry and Descendants of Sir Richard Saltonstall First Associate of the Massachusetts Bay Colony and Patentee of Connecticut* (Boston, 1897), p. 11.
41. *Ibid.*
42. Madeleine Hope Dodds, ed., *A History of Northumberland* (London, 1935), 14: 46.
43. William Hand Browne *et al., Archives of Maryland,* 68 vols. (Baltimore, 1883–), 1: 143, 169; *ibid.*, 4: 69 and 307. Matthew Rodam was transported to Maryland by Leonard Calvert (*Maryland Historical Magazine* 5 (September 1910): 262.

Halhead. He was later kindly "received by the Lords Patentees" . . . and was "encouraged to return" to the island.[44] With this in Samuel's background we are not surprised to hear that a difference of opinion appeared in the church at Long Houghton, Northumberland, and Samuel Lane was "ejected in 1662,"[45] although Calamy said he was "A man of great sincerity and of an unblamable exemplarly conversation."[46] If we are correct in assuming "our" Samuel married Barbara Roddam, she apparently died before 1664, because on that date Samuel Lane emigrated to Maryland.[47] No wife appears.

We now have a Samuel Lane appearing in Maryland in 1664.[48] It is true we do not find a record which says: "Samuel Lane, who sailed in Ye Expectation to the Isle of Providence in 1635 is identical with the Samuel Lane who appeared in Maryland in 1664." Such records are not readily found. However, there are many "coincidencies" which suggest very strongly that the two above mentioned Samuel Lanes are one and the same.

Lest we confuse our two Samuel Lanes, suppose we designate as Samuel Lane (#1) he who sailed for the Isle of Providence in *Ye Expectation* on April 16, 1635, with his father Richard, mother Alice, and two brothers Jo and Oziel. Let us refer to the Samuel Lane who appeared in Maryland in 1664 as Samuel Lane (#2). We hope to show the two Samuel Lanes are one and the same person.

Samuel Lane (#1) spent his youth on The Isle of *Providence*. Samuel Lane (#2) first appears in Maryland 1664 in what was then known as *Providence*.[49] Samuel Lane (#2) married the widow, Margaret Maulden Burrage, daughter of Francis Maulden and his wife Grace,[50] who married as her third husband Edward Lloyd,[51] progenitor of the Lloyds of Wye House. She (Margaret Maulden Burrage) the widow of John Burrage, bore Samuel Lane (#2) a son, Dutton Lane, to whom he left (in 1681) part of Browsley Hall.[52] On July 19, 1703, Dutton Lane sold 376 acres of Browsley Hall to *James Butler* (then of Prince Georges County).[53] Samuel Lane's (#2) widow, Margaret, married as her third husband Job Evans, and on April 18, 1696, Job Evans sold "Job's Addition" (225 acres) to *James Butler* (then to Anne Arundel County).[54] The *James Butler* of the above two deeds is a direct descendent of *Thomas Butler* of Kent Island in the Chesapeake Bay, mentioned earlier as the half-nephew of *Capt. Nathaniel Butler,* Governor of the Isle of Providence, who dined several times with Richard Lane, father of Samuel Lane (#1) on The Isle of Providence.[55]

Although Samuel Lane (#2) in his will dated January 18, 1681, (Anne Arundel County) appointed his wife, Margaret, executrix,[56] nevertheless his "next door neighbor," Col. Thomas Taylor, acted as executor.[57] Col. Thomas Taylor was the son of Philip Taylor,[58]

---

44. Newton, *English Puritans,* p. 258.
45. See footnote 42.
46. Edward Calamy, *An Abridgement of Mr. Baxter's History of His Life and Times,* 2 vols. (London, 1713), 1: 511.
47. Gust Skordas, ed., *The Early Settlers of Maryland* (Baltimore, 1968), p. 280.
48. *Ibid.* He was transported to Maryland by one Thomas Vaughan. See also *ibid.*, p. 477.
49. Harry Wright Newman, *Anne Arundel Gentry* (Baltimore, 1963), p. xiii.
50. Will of Grace Lloyd, drawn May 10, 1698; proved Feb. 17, 1700 (P.C.C., 93 Pye); also *MHM,* 43: 231–32.
51. Will of Edward Lloyd, drawn May 11, 1695; proved July 14, 1696 (P.C.C., Bond 121); also *MHM,* 7: 421.
52. Will of Samuel Lane, Anne Arundel County, Jan. 18, 1681. Lib. 2, fol. 185.
53. Anne Arundel County Land Records, Lib. W.T. #2, fol. 59.
54. Patent Lib. C #3, fol 415, 416.
55. See the Appendix for the Butler-Lane Chart. Documentation for this chart is in the library at the Maryland Historical Society.
56. See footnote 52.
57. T.B. 12B, fols. 67, 75, 263.
58. *Archives of Maryland,* 4: 507.

who during the Kent Island controversy was chief Lieutenant of William Claiborne,[59] whose wife was none other than *Elizabeth Butler,* half niece of Capt. *Nathaniel Butler.*[60] ("A conference [was] held between the right Honor[ble] the Lord Baltimore Proprietor of Maryland and William Penn, esq[re] Proprietary of Pennsilvania at the house of colonel Thomas Tailler [Taylor] on the ridge in Anne Arrundel County Wednesday the 13th of December 1682" [*Archives of Maryland,* 5: 382], where "the two . . . discussed the boundaries of Maryland and Pennsylvania" [J. Reany Kelly, *Quakers in the Founding of Anne Arundel County Maryland.)*

As mentioned before, Samuel Lane (#2) married Margaret Maulden Burrage, widow of John Burrage, whose father William Burrage (Burridge) lived on Kent Island[61] and owned property adjoining Fort Crayford (Crafford), the home of William and Elizabeth Butler Claiborne.[62]

Samuel Lane (#1) who sailed April 16, 1635, in *Ye Expectation* with his family had a sister, Mary Lane, born while the family was living on The Isle of Providence. On June 8, 1667, she married William Denn of St. Bartholomew The Great, London, grocer,[63] great nephew of John Denn whose wife, Lucy Ayleworth, was sister-in-law of Thomas Stockett,[64] whose four sons Francis, Thomas, Henry, and Lewis Stockett all came to America. The three brothers, Thomas, Henry, and Francis Stockett, all removed to Anne Arundel County, and owned and lived on "Dodon" and "Obligation," properties adjoining "Brows-ley Hall"[65] owned by Samuel Lane (#2).

Samuel Lane (#1) married Barbara Roddam, great nephew of Matthew Roddam of Shawdon, Northumberland, England.[66] Matthew Roddam of Kent Island, Maryland, in July 1642 swore "oath"[67] to the will of John Bulter of Kent Island, half nephew of Capt. *Nathaniel Butler.*[68] Thomas Butler, brother of John, also lived on Kent Island with Matthew Roddam.[69]

In 1664 the Maryland Matthew Roddam bought 100 acres ("Come Away") from Col. Thomas Taylor of Anne Arundel County,[70] executor of the 1681 will of Major Samuel Lane (#2). As mentioned earlier, Matthew Roddam of England and the Matthew Roddam of Kent Island (because of dates) cannot be one and the same person. Matthew Roddam in England was involved in the settlement of 1553 in Cuthbert, Proctor of Shawdon, Northumberland, and Matthew Roddam of Kent Island immigrated to Maryland in 1643, "and demandeth 50 acres more as servent to Governor Calvert."[71]

But enough of these "coincidences." I have worked on the Lane genealogy for thirty years, and could bring forth still more. It has been said that Samuel Lane was "a man of parts," and it appears to be a fact. Although a clergyman in England, he appears in Maryland in 1664 as plain "Samuel Lane."[72] However, he seems to have risen rapidly,

---

59. Susie M. Ames, ed., *County Court Records of Accomack-Northampton Virginia 1640-1645* (Charlottesville, 1973), p. xv.
60. See the Appendix.
61. Skordas, *Early Settlers,* p. 71.
62. *Archives of Maryland,* 54: 235.
63. See footnote 33.
64. *The Publication of the Harleian Society* (London), vol. 54, p. 48; vol. 42, fol. 150. Also John Burke, *A Genealogical and Heraldic History of The Commoners of Great Britain and Ireland,* 4 vols. (London, 1838), 3: 21.
65. "Warrants," vol. 12, fol. 298, 299, Hall of Records.
66. Dodds, ed., *History of Northumberland,* 14: 284, 285, 286.
67. *Archives of Maryland,* 4: 69.
68. See the Appendix.
69. *Archives of Maryland,* 1: 168, 169.
70. St. Marys County Rent Roll (MHS), p. 75. See also *Archives of Maryland,* 4: 507.
71. Skordas, *Early Settlers,* p. 386.
72. *Ibid.,* p. 280.

because between his arrival in 1664 and his death in 1681 we find him mentioned in the *Archives of Maryland* as: gent, chirurgeon, doctor, doctor of physick, commr. of Anne Arundel County, justice of Anne Arundel County, gentleman of the quorum, and major.[73] In addition we find him witness or administrator of the wills of nine of his neighbors, unusual for that time.[74] The fact that he is referred to as "gent" would appear to indicate simply that he was of gentle birth. We do not find in England any reference to a Samuel Lane having any medical training or experience; nor is there any hint of this when Samuel Lane (#2) arrives in Maryland. However, upon further study it would appear that he probably received his medical training and experience after arriving in America, as we find him closely associated with Dr. Francis Stockett, Dr. William Jones, Dr. George Wells,[75] and possibly others. They appear to have informally constituted what today we would refer to as a "medical center." All of these men lived near one another and near Samuel Lane (#2),[76] and it is possible that he obtained his medical training and experience from them.[77] Samuel (#2) was apparently elected to his civic offices, and on September 13, 1681, we find him as a major fighting the Indians, and writing the following letter to the Lord Baltimore: "The country of Anne Arrunall at this time is in great danger. Our men marched all Monday night, the greatest part of South River had been most cut off. We want ammunition exceedingly, and have not where- with-all to furnish half our men. I hope your Ldpp. Will dispatch away Coll. Burgess with what ammunition may be thought convenient. I shall take all the care that lyeth in me, but there comes daily and hourly complaints to me that I am wholly imployed in the Countrys Service."[78] As Samuel (#2) was dead by 1681,[79] we can guess he probably died in these Indian skirmishes.

Major Samuel Lane (#2) lived on Burrage, Burrage Blossom, and Burrages End, properties inherited by his wife, Margaret, from her former husband, John Burrage.[80] We quote an abstract of Samuel Lane's (#2) will: "to son Samuel at 18 years of age and hrs. part of Browsley Hall; to son Dutton at 18 years of age and residue of Browsley Hall; to daughter Sarah personalty and above-mentioned property in event of death of sons without issue; to nephew Thomas Lane, in Ireland, property afsd. in event of death of sd. child. without issue; to daughter Grace Burridge, personalty; wife Margaret, execx.; overseers: sons-in-law Saml. Smith and Francis Hutchins; test: Arthur Browne, Jno. Davis, Jno. Hall, Thos. Meridal. 2. 185."[81] His wife, Margaret, had three daughters by her first husband, John Burridge. These were Grace Burridge, who married Benjamin Scrivener; Elizabeth Burridge, who married Francis Hutchins; and Margaret Burridge, who married first Nathan Smith and secondly Thomas Tench, governor of Maryland, 1702–1704, who drew the will and was administrator[82] of the will of Lionel Copley, the first acting Royal Governor of Maryland.[83] Interestingly enough, Governor Lionel Copley was the son of another Lionel Copley, first cousin of Robert Greville, Lord Brooke, whose

73. See various issues of the *Archives of Maryland* for the years between 1664 and 1681.
74. Jane Baldwin, *The Maryland Calendar of Wills* (Baltimore, 1904), 1: 39, 47, 61, 62, 63, 68, 74, 183, 209, 215.
75. George B. Scriven, "Doctors, Drugs, and Apothecaries of Seventeenth Century Maryland," *Bulletin of the History of Medicine* 37 (November–December 1963): 516–22.
76. See footnote 65.
77. For evidence of Samuel Lane's medical activities, see the will of Richard Wells, proved June 9, 1671, Anne Arundel County Will Book (1.439).
78. Quoted in J.D. Warfield, *Founders of Anne Arundel and Howard Counties, Maryland* (Baltimore, 1905), p. 51.
79. Will drawn Jan. 18, 1681; see Anne Arundel County Will Book 2, fol. 185.
80. Anne Arundel County deeds, WT #2, fol. 72.
81. See footnote 79.
82. *MHM,* 17: 171.
83. Inventory and Accounts, MHR, Lib. 19½, fol. 60.

protege was none other than Richard Lane of the Isle of Providence,[84] and father of Samuel Lane (#1). Can this again be mere *coincidence?*

As I worked on this Lane genealogy for thirty years with Kenyon Stevenson of Cleveland, Ohio (now deceased), it seems superfluous to repeat what we have already done. Mr. Stevenson was searching for his ancestor Lambert Lane, and I was searching for my ancestor Rachel Lane, who married Alexander Russell about 1798. As I was living in Maryland I searched the records here and sent them to Mr. Stevenson who correlated them. Our work on the American Lanes can be seen in the Maryland Historical Society under Genealogy and History, Washington D.C. May 15, 1944 (call no. CS42.G5). The Dutton Lane family moved first to Towson, Maryland, then northwest of Reisterstown, and later to Ohio. His brother Samuel remained in Anne Arundel County.

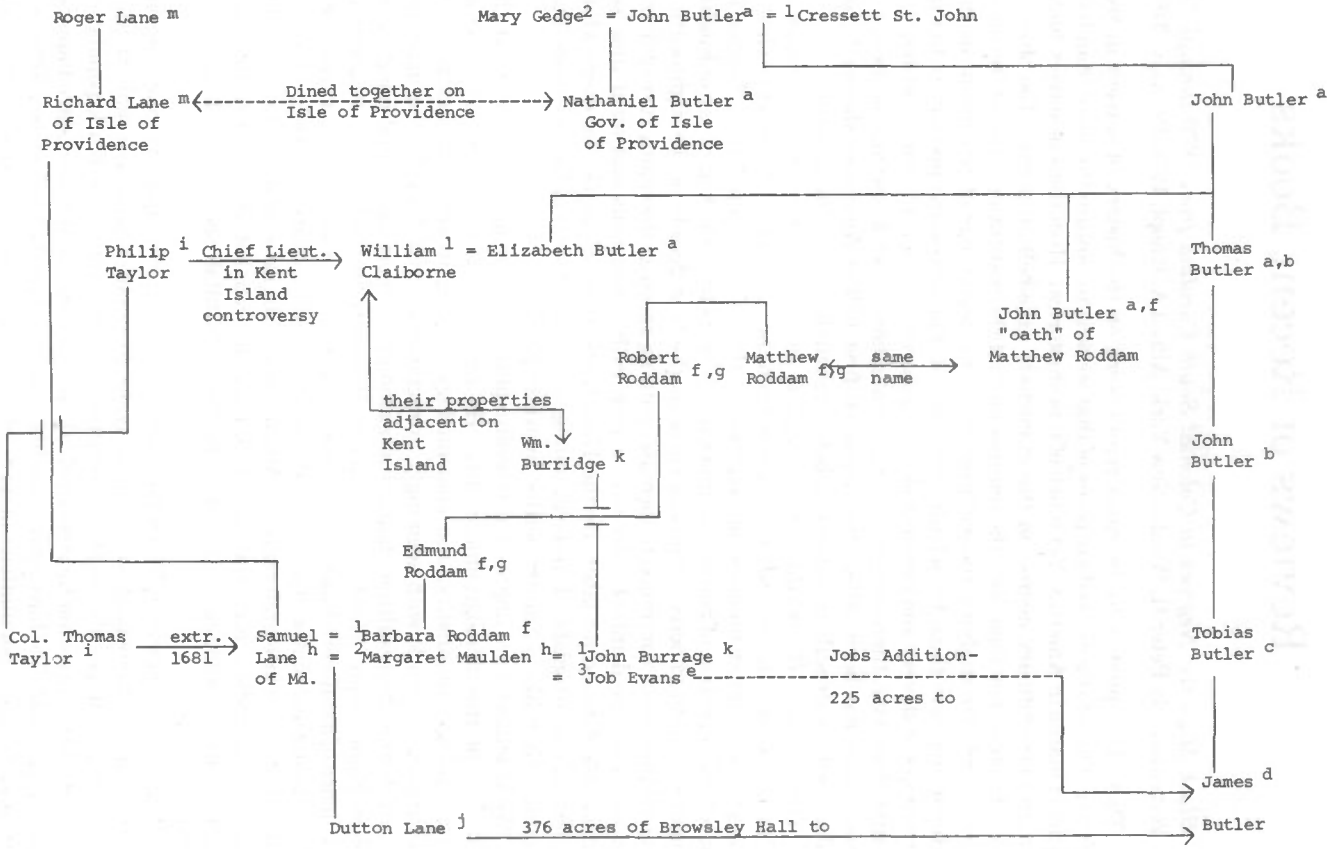
It seems appropriate to note that Samuel Lane (#2) left "Hampton Court"[85] to his daughter Margaret, who with her husband William Merryman sold the property in 1746 to Charles Ridgely.[86] On this property Charles Ridgely built the handsome mansion near Towson known today as "Hampton."

---

84. "Mr. Lane, Lord Brooke's agent," *Calendar of State Papers . . . 1574 to 1660,* 1: 249.
85. Baldwin, *Maryland Calendar of Wills,* 5: 231.
86. Baltimore County Land Records, Lib. T.B., no. E. fol. 166.

APPENDIX

Butler-Lane Chart



Reviews of Recent Books

Black Majority: Negroes in Colonial South Carolina from 1670 through the Stono Rebellion. By Peter H. Wood. (New York: Alfred A. Knopf, 1974. Pp. xxiv, 346. $10.00.)

There is a quiet irony in much recent work on the history of slavery in the United States. One of the avowed purposes of that work is to capture the more than half-hidden past of blacks in America. Yet much of it is ahistorical. Historians of slavery have focused to an extraordinary degree on the immediate ante-bellum period. Too often, as Peter Wood notes, they have left "the impression that the institution was a static one and that the records for studying its evolution from the beginnings of settlement do not exist." Historians have thus, by default, both denied themselves an opportunity to explore the dynamics of slavery and racism and denied slaves a history. In short, and despite a recent burst of activity, there remains a large gaping hole in our knowledge of slavery. It is this hole, what has been called the "neglected first half of American slavery," that Wood, along with a steadily growing number of colonialists, is helping to fill.

The thesis of *Black Majority* is implicit in its title: the central process of South Carolina's early history, whether viewed from the perspective of master or slave, was the rapid rise to predominance of Negroes in the colony's population. Blacks formed a substantial portion of South Carolina's inhabitants from the beginning of English settlement and outnumbered whites as early as the first decade of the eighteenth century. Racial imbalance continued to increase, gaining speed as the colony turned from a mixed economy to one dominated by rice, a crop with a voracious and for a time seemingly insatiable demand for labor. By the 1730s there were two blacks for every white: in the words of one astonished European immigrant, South Carolina looked "more like a negro country than like a country settled by white people."

Wood employs an impressive interdisciplinary technique in working out the consequences of this demographic reality. He draws heavily on economics, demography, anthropology, linguistics, and epidemiology, joining those disciplines to a historian's willingness to work with seemingly intractable sources. Usually the marriage proves fruitful, and the resulting chapters are among the most useful and imaginative in the book. For example, Wood combines recent literature on sickle-cell anemia with scattered evidence of a different black and white susceptibility to South Carolina's disease environment to suggest that a superior resistance of blacks to malaria and yellow fever may have contributed to white preference for African labor. To cite a second instance, anthropological and linguistic commentary on black language coupled with an investigation of slave naming patterns yields insight into the roots of Gullah speech and the growth of Afro-American culture.

Occasionally, however, Wood fails to follow the interdisciplinary route far enough. A more thorough knowledge of demography, for example, would have enabled him to avoid assigning an impossibly high reproductive growth rate to the black population before 1720 and led to question figures which almost certainly understate slave imports for that period. It would also have prevented his standing the relation between fertility, mortality, and the age of populations on its head. A consideration of changes in the relative price of labor in terms of supply and demand could have clarified a rather murky discussion of why Africans soon outstripped whites and Indians as the principle source of unfree labor in the colony. But this may be asking too much. It is only because Wood has progressed so far down the interdisciplinary path that one feels obliged to urge him further.

The book is organized around a loose three-stage periodization across which the anxieties of whites over the black presence gradually increased and the status of blacks correspondingly deteriorated. In the initial period, extending from the arrival of the first English and African colonists to the 1690s, South Carolina's commitment to a predominantly black work force was by no means clear. White settlers brought slavery and Negroes with them from Barbados, but difficulties of supply, the failure to find a profitable staple for export, and the uncertainty of the entire enterprise slowed the growth of plantation agriculture. The colony's commitment to slavery emerged clearly in the second period, stretching from the beginnings of commercial rice cultivation in the 1690s to about 1720, a quarter century which, Wood argues, "represents in many ways the high-water mark of diversified Negro involvement in the colony's growth." Blacks enjoyed more freedoms and a higher status than they would in later decades, and they worked at a wide variety of jobs, many of which required skills from Africa. In fact, black skills may have made rice culture possible in South Carolina, for rice, while not grown in England, was a staple in large parts of West Africa. On the whole, Wood concludes of the decades before 1720, the hardships of life in a new settlement and a continuing labor shortage exerted a levelling influence, putting "the different races, as well as the separate sexes, upon a more equal footing than they would see in subsequent generations." Master and slave were forced to share "the crude and egalitarian intimacies inevitable on a frontier."

If Wood is correct that blacks introduced Englishmen to the technology of rice culture, there is an irony in the history of slavery in South Carolina. Between 1720 and the Stono Rebellion of 1739, the last of Wood's three periods, the spread of rice undermined the place of blacks in Carolina society. Rice forced an increasing proportion of blacks out of skilled jobs and into routine, exhausting, and degrading agricultural labor. It fostered large plantations and absentee ownership, thereby limiting contact between master and slave. And it demanded ever more workers, thus creating South Carolina's black majority and inducing anxiety among whites over "the threat within," an anxiety expressed in a severe repression that stripped blacks of the freedoms they possessed before 1720. Blacks responded to their degradation with a resistance that culminated in the Stono rising, a resistance countered by increased white vigilance and repression until the vast majority of slaves were reduced to submission. South Carolina achieved social stability in Stono's aftermath, a stability rooted in "a heightened degree of white repression and a reduced amount of black autonomy."

While this is a plausible interpretation of South Carolina's history, Wood's focus on black resistance and white repression may be misleading. Repression and resistance are only a part of slavery's history, and, because they are so highly visible, are often overemphasized. Perhaps more important in accounting for the heightened resistance of the 1720s and 1730s and the subsequent "submission" of later decades are subtle demographic and cultural processes that combined to end the dreary isolation of frontier life in a predominantly white society and to provide blacks the opportunities to build strong ties of family and friendship that made their situation more tolerable. Wood takes what might be called an "intergrationist" view of the history of slavery, focusing to too great an extent on patterns of black-white interaction. Certainly an acute awareness of the countless ways in which whites limited black autonomy is critical to any study of slavery, but a shift in focus away from race relations to life in the quarters and in the field seems likely to produce a deeper understanding of Afro-American history. Despite his somewhat different concern, Wood provides much of the evidence needed for such a history. That in itself is sufficient testimony to the value of *Black Majority*.

University of Minnesota RUSSELL R. MENARD

The Virginia Eastern Shore and Its British Origins. By Henry Chandlee Forman. (Easton, Md.: Eastern Shore Publishers' Associates, 1975. Pp. xiv, 402. $25.00.)

The Virginia Eastern Shore and Its British Origins is another of Henry Chandlee Forman's publications on architecture, gardens, furniture, and folklore. As the title suggests, and as he states in the preface, he has attempted by the comparative method to show the background of architecture, garden, and furniture design in Virginia to be British. The inspiration for the book is divided between a memorable trip to Williamsburg and the publication of some erroneous architectural information in *Virginia's Eastern Shore* by Ralph Whitelaw.

Three chapters form the body of the work. Chapter one is divided into two parts, the first dealing with primitive ways of living from fifteenth century England to eighteenth century Virginia. In the second part there is an attempt to give background material on garden, architecture, and furniture history and design.

Chapters two and three treat primarily the buildings of Northampton and Accomac counties respectively, with miscellaneous customs and folklore added. The two principal chapters use chapter one as an outline, although they are each divided into three sections dealing chronologically with the seventeenth, eighteenth, and nineteenth centuries (excluding Victoriana, post 1860). Although chapter one is divided into the primitive and the grand, there is no attempt to organize the two subsequent chapters accordingly.

A selected bibliography is included at the end of the third chapter, but it contains nothing published in the 1970s. The author has done himself a great disservice by not including a general reference to the overwhelming numbers of deeds, wills, inventories, and so forth in Virginia and England which were necessary to gather all of the miscellaneous information.

The book, like Mr. Forman's previous publications on Maryland, is profusely illustrated with photographs, drawings, and sketches depicting both England and Virginia. The illustrations are placed mostly within their respective counties, consequently in chapter one it is cumbersome to flip through the book to find the illustration. The problem is compounded by a lack of continuity in referring to the illustrations.

Of the photographs throughout the book, those seventy-nine taken in the 1930s by Frances B. Johnston are not only the most provocative, but the most detailed. The reproduction of these early photographs is of superior quality generally, and they include many architectural details which are now gone and/or were unavailable to the author. One of the photographs (Fig. 247) is either mislabeled or erroneously described, for there is mention of a plaster arched ceiling when only a board ceiling appears. Photos and sketches of trees in previous publications were infrequent compared to those included in this work. Sketches are generally used, as trees were used in early surveys as a land mark, in this case to differentiate chapters. In general, the photographs and sketches form a respectable illustrative tool for the book, although many have not reproduced well, especially the utensils and furniture. Of particular interest to architects and architectural historians are the plans, elevations, and details which have taken incredible time to measure and sketch.

Most of the places described, whether they be garden or building, have titles. Occasionally, however, under one title one or more other buildings or sites are included, without an apparent relationship. In many instances throughout the book, specific aspects of life, gardens, or buildings in Britain are cited without reference to something comparable in Virginia. For example, on page 10 the central hearth is described in detail; however, there is no definite indication that the Indians and early settlers had such fireplaces, one of which is illustrated in figure 5 for another purpose.

The comparative method breaks down technically in the second part of chapter one

when calling to mind Henry VIII's garden, Compton Wynyates, and comparing its topiary work with the non-referenced oil painting of Locust Grove. It also breaks down due to the comparison of great English examples to insignificant vernacular ones.

After jumping from gardens to architecture, the author's architectural classifications, as expounded in previous publications, are reiterated. Background material on garden, architecture, out buildings, furniture, and customs is so scant as to presuppose a knowledge of those facets of English history.

In each of the following two chapters there is a brief account of the founding of the counties. In each of the three sections in both chapters there is a paragraph enumerating the unusual names of the inhabitants of Virginia's Eastern Shore counties. In like manner are recalled some modestly spicy tidbits pertaining to marriage, customs, slaves, and so forth which are amusing, but bear little relevance to the meat of the book, which is the architecture of the two counties.

When the architecture of the area is finally discussed, the descriptions are more complete than the background material. One distracting note is the personal reference to the weather, condition, surroundings, or personality of the owner of a particular dwelling on a particular day.

The author is quite adamant about the use of proper terminology for the small connecting structure located between the kitchen and dwelling (p. xiii, 63, 209), quoting from the dictionary the definition of colonade. Later, however, he admits the term was used in an 18th Century document.

One of the self-contradictions of the author is his insistence upon the use of proper terminology and in the next breath using "dog ear" rather than the term "crossette" (fig. 284). Furthermore, coining new words and phrases to describe architectural features such as "lie-on-your-stomach-window," and "break-neck-stair," tends to enliven the contradiction. "Siamese twins" apparently is the most recently coined term in the author's vocabulary. By this is meant two nearly identical units connected by a lower passage or covered way, and in one instance by a lower portion of living quarters. The English comparative example seems utterly sublime compared to the local forms. It would be more appropriate to compare the local forms with something on the same scale, as was done on page 103, figures 84, 85.

On page 63, in order to illustrate the point that medieval ranges are the source for the elongated Virginia house, a Georgian example is used. There is no explanation as to how the ranges compare to medieval forms. On the other hand, the Georgian illustration compares favorably with the layouts of Eyre Hall and Kendall Grove, which are influenced by Georgian ideals.

Pitts Neck (p. 198), possesses a superior rubbed and gauged brick architrave which is termed Jacobean, although it is likened to Carter's Grove. Since the architrave of Carter's Grove and Stratford and other great Virginia Georgian structures is the result of published design books of the period, there seems little to support the assertion that the Pitts Neck architrave is Jacobean. That comparable examples of brickwork existed prior to the Georgian era cannot be denied, but due to its similarity to closer precedent stylistically it would be more plausible to use a more recent comparison.

There is little mention of technical aides to assist in dating old buildings. Never is the type nail or thumb latch cited as a dating tool for the period. Similarities between Wharton Place and Kerr Place are cited in their use of pairs of modillion blocks for exterior cornice and applied decoration on the mantles and interior cornices. However, the Maryland comparison (fig. 351) to Wharton Place, which possesses the same details, is pre-dated by twenty years. If there are moldings and decorations which are "earmarks" for that period, are there not also similar devices for other periods? In several instances there are attempts to be technical, but the attempts are not consistent. At Rose Cottage

(p. 259) there is mention of a remodeling, but there is no attempt to explain the technical aspects of the remodeling as was done at Pear Valley.

In general, *The Virginia Eastern Shore and Its British Origins* is directed to the informed amateur, although there is something for almost every interest. It is an interesting and informative work, and sometimes entertaining. The lack of organization makes it difficult to follow or draw conclusions; however, it is filled with many aspects of early life which are not generally available. The book can be criticized on many counts, but as with his other publications, the author has published in an area in which comparatively little has been written. Henry Chandlee Forman has been a pioneer in the field of vernacular architecture, and with the publication of *The Eastern Shore of Virginia,* he remains so.

"Great Hopes" MICHAEL BOURNE
Sudlersville, Maryland

William Paca: A Biography, by Gregory A. Stiverson and Phebe R. Jacobsen (Baltimore: Maryland Historical Society, 1976, Pp. 103, $4.95 soft cover, $7.95 hard cover.)

Historians and biographers have accorded uneven treatment to the fifty-six men who, as delegates to the Continental Congress, signed the Declaration of Independence. Several reasons come readily to mind. The signers range from the illustrious to the obscure, from those who died before the War of the Revolution ended, to those who lived half a century beyond the event. In like manner, the surviving record of their lives varies from voluminous documentary collections to rare specimens of their handwriting. Some of the signers assiduously preserved their personal papers for posterity; others did not. Then, in the nineteenth century, when acquisition of a holograph for each signer became a prime goal of autograph collectors, many valuable manuscripts were widely dispersed. Not even the archival holdings of the thirteen original states were exempt from depletion.

Four men penned their signatures to the Declaration of Independence on behalf of Maryland. While the very act of signing earned them a certain immortality, each also had a significant public career during the demise of colonial rule and during the formative years of the state and nation. Of the Maryland signers, the largest body of extant research material concerns Charles Carroll of Carrollton. More scattered and less complete is the documentation of Samuel Chase's life. For William Paca and Thomas Stone, a great deal of detective work is required merely to establish the basic biographical facts.

In their slender, handsomely printed volume, *William Paca: A Biography,* Gregory A. Stiverson and Phebe R. Jacobsen have produced the most authoritative study to date of the third state governor of Maryland. Essentially an overview rather than an exhaustive examination of his life, the book corrects many of the errors contained in earlier works.

The authors convincingly discredit the idea that the Paca family in America was of recent Italian origin, and they trace the probable source of the notion to the late nineteenth century. Plumbing land and testamentary records, they show how, in the course of four generations, the Pacas in Maryland rose from humble means to enter the upper echelons of the planting society. As with many other Chesapeake families, success was achieved through advantageous marriages and the accumulation and prudent management of assets, especially land. William's great-grandfather, Robert, who emigrated about 1660, apparently was an indentured servant. A century later William became the first of his line to gain entree to the highest proprietary circles when he married Ann Mary Chew, the stepchild of Daniel Dulany the elder and a member of the influential Lloyd family.

Stiverson and Jacobsen trace Paca's pre-Independence activities as Annapolis council-

man, representative in the House of Delegates, member of the extralegal provincial conventions, and delegate to the Continental Congress. They assume, as have other Paca scholars before them, that he identified easily with the antiproprietary or "popular" faction in the legislature. Yet we really do not know why, and in what steps, he traversed Maryland's uncertain, sometimes tempestuous, politics to become an opponent of the established government. One wonders how close Paca may have come to aligning himself with the proprietary power structure because of his marital ties. For a time at least, he moved comfortably among proprietary officeholders. And, in the most vitriolic provincial dispute in which he was ever involved, the controversy over the poll tax that supported ministers of the Church of England in Maryland, his role was much more convoluted, and opportunistic, than Stiverson and Jacobsen indicate.

The smallest portion of the biography covers some of Paca's fullest years, from mid 1776 until his death in 1799. This reviewer would have welcomed expanded discussion of his service as Continental congressman, governor, state and federal judge, and, especially, member of the state Senate and House of Delegates. In company with the other Maryland signers of the Declaration, Paca's record in the state General Assembly helps to reveal both his conception of the American Revolution and his commitment to it.

The book provides intriguing glimpses into Paca's private life, which so often was touched by the death of a wife or child. At last the mystery of Hester has been solved. The authors demonstrate that she was a daughter of mixed racial blood who was born in Philadelphia in 1775. Paca acknowledged his paternity and provided for the child's upbringing and education, although he never brought her to Maryland. Hester's mother, Levina, remains an enigma.

William Paca is a useful and informative addition to the literature on Maryland in the eighteenth century, and its publication was made possible through the generosity of Mr. Arthur A. Houghton, Jr., of Wye Plantation. The points raised in this review are not meant to suggest that the authors should have written a different book. Paca is an intrinsically interesting revolutionary about whom further questions need to be asked, even if only partial answers are obtainable.

Grand Forks, North Dakota JEAN H. VIVIAN

The Maryland Constitution of 1776. By H. H. Walker Lewis. ([Baltimore]: The author, 1976. Pp. v, 92. $5.00.)

In 59 pages Walker Lewis has produced what may well prove to be Maryland's most enduring contribution to the nation's bicentennial celebration. Written at the request of a committee of the Maryland State Bar Association for the express purpose of reminding us of the contribution made by lawyers to the framing of the government which took charge of the province of Maryland after the departure of the last proprietary governor, these pages will be of interest to anyone who wishes to understand what happened in Maryland in 1776.

As the author demonstrates, under the Calvert proprietorship, Maryland developed a political climate in which the ideas of Thomas Paine did not thrive. The Maryland radicals (or "levellers," as they were called by Charles Carroll of Carrollton) were generally men of property who happened to combine an ambition to lead with the gift of eloquence. Their political objectives were quite limited, especially when compared with those proclaimed in England by Oliver Cromwell and his followers more than a century before. Nor were theirs the dominant voices in Maryland during the year 1776. It was men like Samuel Chase and the two Charles Carrolls (the barrister and he of Carrollton) who at almost the last minute persuaded the Provincial Convention to instruct their delegates to the Continental Congress to vote for a declaration of independence.

To the men who spoke for Maryland in those days, the idea of independence did not come easily. It is not surprising that families were divided, with men who had been among the strongest advocates of the rights of the colonists to the constitutional liberties of Englishmen finding it impossible to take the ultimate step or renouncing altogether their allegiance to the Crown. Thus, the atmosphere in Maryland differed sharply from that of Massachusetts, which has been so vividly described by Professor Bernard Bailyn in his recently published biography of Thomas Hutchinson. As Professor Bailyn points out, the fulminations of James Otis and Samuel Adams stirred the people of Boston to a fury which erupted in mob violence and vandalism. It is true that the citizens of Annapolis were on one occasion sufficiently moved by the spirit of emulation to force the burning of the *Peggy Stewart* by its owner because the ship had brought into the harbor a cargo of tea on which the hated tax had been levied. However, the amiable manner in which the departure of Sir Robert Eden was arranged contrasts strikingly with the treatment accorded his Massachusetts contemporary.

The fact seems to be that the revolutionary ideas which predominated in Maryland were primarily those which, according to Edmund Burke, animated the Glorious Revolution which took place in England in 1688. As Burke later described it, that was a lawyers' revolution, and Mr. Lewis demonstrates very conclusively that it was men trained in the law, who had been taught to understand and uphold the principles of constitutional liberty which triumphed in 1688, who were the principal architects of the Maryland Declaration of Rights and the accompanying framework of government known as the constitution, which were adopted at the convention which first met in Annapolis in August of 1776.

Mr. Lewis has carefully analyzed the proceedings of the Maryland Constitutional Convention of 1776 insofar as they were recorded and has demonstrated that the result of their deliberation was essentially the product of men of legal training. The Declaration of Rights, which proclaimed the political principles which were to guide the governance of the newly independent state, was almost entirely the work of a committee headed by Charles Carroll, the barrister, who was primarily responsible for its language. Undoubtedly, the Maryland Declaration drew heavily on ideas which had already found expression in the documents adopted by Conventions in Virginia and Pennsylvania, but, as Mr. Lewis points out, "the Maryland Declaration was the most elaborate to date and furnished the model for many that were to follow, including some provisions of the Federal Constitution." The provisions of the Maryland Constitution which related to the framework of government were acclaimed by James Madison in the Federalist papers and were the model for the provisions of the Federal Constitution relating to the United States Senate.

It comes as no surprise to those familiar with Mr. Lewis's previous publications that he has mastered the art of presenting sound scholarship in a form acceptable to the general reader. His style is simple and clear, and his material is well organized. His pages are graced by entertaining details which cast a revealing light on the manners and morals of some of the leading figures in Maryland history. Above all, he writes with a lightness of touch which combines with an elfin sense of humor to produce a captivating study of an important event in the political history of the United States.

Piper & Marbury WILLIAM L. MARBURY
Baltimore

Official Maryland Guide to Landmarks of the Revolutionary Era in Maryland. Ed. by Bayly Ellen Marks. Research by Lois Snyderman. (Annapolis: Maryland Bicentennial Commission, 1975. Pp. 108. $3.95.)

This is not really a book, but four pamphlets. Each, printed in a different color, treats a region of Maryland—Southern, Eastern Shore, Central, and Western—and is inserted in one of four pockets of a heavy-paper folder. (The pamphlets also sell separately for $1.00.) The graphics, including sixty-seven sketches, are attractive, and by and large the format is convenient for travelers. Unfortunately, the order of locations is a little haphazard, although there is an alphabetical list, and the four maps are too general to be of much help.

Putting together a publication of this kind is not as easy as it looks. Maryland is small as states of the Union go, but because of its shape it stretches over great distances. Moreover, those distances encompass much urban sprawl, where new highways criss-cross old ones, where once-adequate historical charting is obsolete, where the outward signs of history along with the terrain have been obliterated. The compilers of this guide are to be commended for prodigious labor: site-selecting, fact-checking, route-mapping, and of course meeting a bicentennial deadline.

As for accuracy, disputes are practically inevitable in a work that attempts a consensus of historians' opinions about nearly 200 subjects. In at least a few instances, offering the reader some options would have been the wiser course. For example, the date of construction of Friendship Hall in East New Market, Dorchester County, is given as "about 1790," ignoring those researchers who insist it was built as early as 1740. Adding "about" to either date does not solve this problem.

Then there is that pitfall, "The First." An encounter off St. George's Island, St. Mary's County, in July of 1776 is described as "the first naval action of the Revolution." But if Concord and Lexington in April of 1775 and Bunker Hill two months later are properly land battles of the Revolution, surely that "naval Lexington" off Machias, Massachusetts (now Maine), in the spring of 1775 deprives St. Mary's County of this "first."

Some of the listed "landmarks of the Revolution" scarcely qualify. While Fort McHenry can legitimately be dragged in by its earlier designation, Fort Whetstone, there is little effort to place in a revolutionary war context such diverse historical settings as seventeenth century St. Mary's City or "Belair," Samuel Ogle's grand horse farm in Prince George's County. The nineteenth century home of Frederick Douglass on Aliceanna Street in Fells Point is included for reasons quite apart from any connection with the Revolution. On the other hand, genuine revolutionary subjects are omitted, such as Rock Hall's Lambert Wickes.

More vexing, however, are geographical shortcomings—both errors and inconclusive directions. Pity the motorist who attempts to find William Paca's grave on Maryland Route 404 in Queen Anne's County. Or Harford County's Rumsey House at "600 Church Road" without directions to Joppatowne. Or Goff's Mill in Baltimore County by taking Bonita Avenue east—how do you know when you get there? In fact, the tourist attempting to follow this guide without help from other sources is bound to have some disappointments: Whitehall, Governor Horatio Sharpe's glorious summer palace near the Anne Arundel County end of the Bay Bridge, is neither "open to the public" nor "easily viewed from the road." But enough of carping.

In the introduction, the guide "is offered to encourage further exploration," and with that end in mind it should succeed admirably for Marylander and non-Marylander alike.

The Baltimore *Sun* FRANK P. L. SOMERVILLE

A People Numerous and Armed: Reflections on the Military Struggle for American Independence. By John Shy. (New York: Oxford University Press, 1976. Pp. xv, 304. $12.95 cloth; $3.95 paper.)

These thoughtful essays by John Shy, professor of history at the University of Michigan, are not only a powerful testament to the originality of the author's mind, but they also are a reflection of the direction of much of the new literature on the American Revolution. Indeed, these pieces—originally published over more than a dozen years and now conveniently brought together by the Oxford University Press—contribute substantially to our newly developed concern for the role of the common people in the Revolution. In a real sense, Shy is both a military historian and a social historian, and few if any scholars have done more of late to tear away the artificial curtain that had for too long separated narratives of war and society.

A West Point graduate and subsequently a doctoral student of Professor W. F. Craven of Princeton (himself an authority on both military and colonial history), Shy was well prepared after writing his first book, *Toward Lexington,* to examine the warlike tendencies of the American people within the context of how their society functioned. For in that book, an investigation of the place of the British army in the coming of the Revolution, 1760–75, Shy found it necessary to determine how the colonists had defended themselves and to probe their attitudes about standing armies and civil-military relations.

Provincial Americans were indeed "a people numerous and armed," as Virginia's Governor Sir William Berkeley had noted in the late seventeenth century. And while the English government was able to secure the collapse of Bacon's Rebellion in the 1670s, during Berkeley's second tour as chief executive of Virginia, the problem of subduing thirteen upheavals a century afterward proved to be a task of enormous proportions.

There is virtually nothing to fault in these sparkling offerings. Shy, however, is too good a historian—and too willing to qualify his own conclusions—to deny that some points will be questioned or challenged: for instance, his heavy stress upon the Revolution as a civil war marked by large-scale internal violence, and his emphasis upon the nonproductive elements of American society as the backbone of the Continental Army. It is unfortunate that Shy's two most recent essays, delivered at North Carolina State University and at the United States Military Academy, could not be included in this volume. On a brighter note, *A People Numerous and Armed* is also available in a paperback edition, and I for one will make instant use of it in the classroom.

University of North Carolina at Chapel Hill DON HIGGINBOTHAM

Marines in the Revolution: A History of the Continental Marines in the American Revolution, 1775–1783. By Charles R. Smith. Illustrated by Maj. Charles H. Waterhouse, USMCR. (Washington: History and Museums Division, Headquarters, U.S. Marine Corps. 1975. Pp. xviii, 491. $20.30.)

Marines in the Revolution is a satisfying book. Although its more than five hundred quarto pages make it a bit too heavy for comfortable reading in bed, it is pleasant to read. The book is clearly written, fully but unobtrusively documented, and usefully indexed. The bibliography is impressively inclusive. The typography is pleasantly free of errors; this reviewer noted only four in five hundred double column pages.

A little more than three-fifths of the book is devoted to Smith's chronological narration of the services of the Marines in the War of the Revolution. The remainder of the book is devoted to several interesting and useful appendixes.

Appendixes C to G are reprints of diaries, journals, and letters of John Trevett, William Jennison, Joseph Hardy, Thomas Philbrook, and Samuel Nicholas, all primary sources which give a color and flavor otherwise unattainable.

Appendix H reprints some advertisements for Marine deserters. These are interesting for the descriptions of the clothing and physique of the absconders. Appendix I, which

consists of all available Marine Muster, Pay, and Prize Rolls, and Appendix J, Biographies of Continental Marine Officers, both the work of Mr. Richard A. Long, should have particular appeal to genealogists.

In November 1775 Congress authorized the raising of two battalions of Marines to serve on the war ships then being prepared for sea duty. In those days of muzzle-loading cannon and wooden ships, musketry from the fighting tops, wooden platforms about two-thirds of the way up the masts, was an important and frequently a decisive factor in a naval engagement. As well as making a considerable contribution to the offensive power of a ship, marines did most of the duty as "centinels," and served when necessary as landing parties.

The Continental Marines first distinguished themselves by seizing the forts at New Providence in the Bahamas when Commodore Esek Hopkins raided there in March of 1776. Benedict Arnold had marines on the fleet of small ships he used against Carleton's better equipped and heavier gunned ships on Lake Champlain. That fleet, although destroyed at Valcour Island, slowed the invasion from Canada from 1776 to 1777.

The short enlistment, in and out, approach to manpower characteristic of the American Army, applied also to the Navy. In most cases Marines and seamen were recruited by officers attached to a specific ship and sometimes, in practice at least, for a specific cruise. This tended to fragment the "two battalions of Marines" Congress had authorized. It also presented the author with the problem of how to write a history of the Marines without writing a history of the entire war at sea. He has solved the problem by writing a rigorously brief account which he has expanded only where the actions of Marines were significant as in the attack on the British Fort at Castine on the Penobscot and at the siege of Charleston, or decisive as in the fight between *Bonhomme Richard* and *Serapis,* which was won by musketry and grenades from the fighting tops of the *Bonhomme Richard.*

Marines also served away from salt water in Willing's galley, the *Rattletrap,* against Tories on the east bank of the Mississippi around Natchez. There were three companies of Marines from the ships in the Delaware River with Washington in his New Jersey campaign. George Rogers Clark in the latter part of the war built a "row galley" seventy-three feet long to carry a crew of 110 men and several cannon to operate on the Ohio River. It carried twenty Virginia Marines under Captain Jacob Pycatt. The craft seems to have effectively overawed the hostile Indians.

Early in 1776 Congress had authorized the licensing of private warships, privateers, to prey on British shipping. These ships like those of the Continental Navy also carried Marines. Smith mentions only a few of the privateers: the *Congress* which took in 1781 H.M.S. *Savage* which had plundered Mount Vernon shortly before, and the *Hyder Ally* which took H.M.S. *General Monk* in Delaware Bay in 1782. The marines on the *Hyder Ally* were riflemen from Bucks County, Pennsylvania. In a fight which lasted about fifteen minutes the riflemen cleared the British deck and the *General Monk* surrendered. Every man on her deck killed by small arms fire was found to have been shot in the head or breast.

A review of *Marines in the Revolution* would not be complete without laudatory mention of the illustrations, many of which were executed expressly for the book. There are many double-page color plates and an abundance of line drawings, pleasant and informative. The maps are useful, accurate and plentiful.

Towson State University JOHN CARTER MATTHEWS

Pleasure and Business in Western Pennsylvania: The Journal of Joshua Gilpin, 1809. Ed. by Joseph E. Walker. (Harrisburg: Pennsylvania Historical and Museum Commission, 1975. Pp. vii, 156. $6.00.)

In the autumn of 1809 Joshua Gilpin, member of a large family of Pennsylvania entrepreneurs, left his business in Philadelphia to visit landholdings in the western part of the state and to assess the prospects for further investment there. Accompanied by servants, and traveling in his private carriage with his wife and their young son, Gilpin progressed in short stages to Brownsville on the Monongahela River. Here he turned north to Pittsburgh, and returned to Philadelphia over a route for the most part different from that followed on the outbound trip. Gilpin's journal of his tour is here presented for the first time in its entirety, with competent and unobtrusive editing by Joseph E. Walker.

Gilpin was an intelligent observer with broad interests, a fund of general knowledge, an eye for scenic beauty, and an appreciation of creature comforts. His journal therefore is entertaining reading matter in itself, and should not be considered purely as a source of choice materials for economic and social historians.

A day's journey covered twenty or thirty miles, depending upon the condition of the road. At times the passengers had to walk, always on the lookout for rattlesnakes, while the horses struggled to pull the carriage uphill over ruts and rocks. The travelers paused on mountain tops to survey vast panoramas of forested mountain ridges before plunging down to some small valley town for a night's lodging at an inn. Once they were assigned a small room and bed "which stunk intolerably," but most accommodations were clean, though rough, with ample supplies of plain food. The Gilpins made a point of chatting with their various hosts, from whom they learned much about life in the back country.

In addition to its notes on trade and transport, *Pleasure and Business in Western Pennsylvania* contains a wealth of agricultural information—crops, methods of cultivation, the nature of soils, the prices of commodities, livestock, and land—as well as descriptions of farmsteads and settlements. Perhaps more significantly it reveals the extent to which the exploitation of mineral resources was already taking place. Gilpin graphically describes coal mining at Connellsville (the site also of a forge and slitting mill) and at Brownsville. Part 3 of the journal, devoted to "Pittsburgh Business Prospects," calls attention to the manufacture of iron in primary and advanced stages, the refining of salt, and the making of glass and pottery. This entire section of the book constitutes an early forecast of Pittsburgh's preeminence in the sphere of heavy industry.

Throughout the journal Walker has provided meticulous identification of persons and places, relying upon a variety of original sources and secondary materials. He is to be congratulated, as is the Pennsylvania Historical and Museum Commission, for making the diary readily available to the public. One regrets only that the Commission did not provide an index for this otherwise exemplary publication.

Silver Spring KATHERINE A. HARVEY

Philadelphia's Philosopher Mechanics: A History of the Franklin Institute, 1824–1865. By Bruce Sinclair. (Baltimore and London: The Johns Hopkins University Press, 1974. Pp. xi, 354. $15.00.)

This history of the beginning years is institutional history as it ought to be written. Instead of a dull narrative of members, finance, and internal problems we are treated to a broad-gauged study in which the Franklin Institute is placed against the background of the Mechanics Institute movement, an international perspective.

One of the most interesting themes in the work details the contrast between the rhetoric of the Institute and what it actually became. The original conception and expressed aim of the society was no different than that of many other mechanic's associations established—self-help education through reading and lectures. The Franklin Institute, established in 1824, continued for some time to espouse this sturdy democratic Jacksonian ideal. However, the ideal was very different from the actuality. The institute

quickly began educational and cultural programs that, by their content, excluded most workingmen, *de facto*. The lectures included such subjects as natural history and general scientific programs, both because these were in line with the desires of the most active members and because they attracted more outside listeners (including ladies). The journal format was a durable, substantial one, rather than a cheap tabloid type, and publication was too infrequent to serve as a mechanics' newsletter. The Institute was converted from an attempt to help the workingman raise himself to one that helped the managers (such as Mathias Baldwin and William Sellers) raise their own cultural, social, and informational level. The chief encouragement offered to workmen came at the Institute's exhibitions, where premiums for accomplishing selected technical objectives and prizes for classes of products supported quality and skill indirectly; these prizes and premiums were later abolished. In effect the society became an elite institution, like the Royal Society or Lunar Society in England.

Sinclair goes on to describe the Institute's search for a mission. Aside from its journal and exhibitions it lacked any true national role, though it attempted to find one several times. At first it was thought that service to industry was the best role, and hence the Institute conducted an investigation of steam boiler explosions for the government. Though the investigation suggested remedial legislation, no action resulted, and no further government work was forthcoming. Apparently scientific advisers to the government then fared no better than now.

Despite its general excellence, Sinclair's study has not always made the most of its data. He presents substantial evidence that American technologists considered a "scientific" investigation to be one which yielded practical data. For example, in the water power study the investigators were concerned to produce better and more readable tables, not to extend theoretical generalizations and comprehension of the phenomena. Also, though the experts of the Franklin Institute, such as Bache and Espy, made many observations of great importance, they usually failed to develop a truly scientific theory from them. The experts in the water power investigation and others were doing little more than extending and determining within closer limits the mechanics' "rule of thumb" which they themselves disparaged. A more general overview would have provided some corrective.

Sinclair's study must be considered one of the most important institutional histories to reach the press, and will rank with the best available for the foreseeable future. It is a book that should be selected for reading by both specialists and non-specialists alike.

University of Maine RUSSELL I. FRIES

Politicians, Planters, and Plain Folk: Courthouse and Statehouse in the Upper South, 1850–1860. By Ralph A. Wooster. (Knoxville: The University of Tennessee Press, 1975. Pp. xiii, 204. $9.75.)

This volume is a companion to the author's earlier work entitled *The People in Power: Courthouse and Statehouse in the Lower South, 1850–1860* (1969). Dealing with the seven border states stretching from Maryland and Virginia (Delaware is omitted) to Missouri and Arkansas, Wooster again examines the structure of state and county government and presents a socio-economic profile of officeholders in those governments. His purpose is not only to describe political arrangements in the upper South but to analyze the degree of democratization that had taken place in that region by 1860.

Wooster packs a wealth of information into only 129 pages of text accompanied by 46 pages of supplementary tables. There are chapters on the legislatures, the governors, courts and judges, and county government. Each contains a survey of constitutional requirements and institutional arrangements based on both primary and secondary materials. And each concludes with a profile of the social-economic characteristics—age,

birthplace, occupation, and wealthholdings (including slaveownership)—of political officeholders, based in most cases on material from the United States censuses of 1850 and 1860.

The examination of constitutional requirements reveals a steady democratization of state and county government during the ante-bellum period. In general, property holding qualifications on the right to vote and hold office were eliminated, legislatures were redistricted to provide more equitable representation to developing areas, more offices were filled by direct election, and so on. Wooster supports the idea that democracy advanced more rapidly in the new West by pointing out that Kentucky, Tennessee, Missouri, and Arkansas struck down aristocratic limitations earlier than did their sister states on the eastern seaboard. He also found the same pattern in his earlier study of the lower South. In terms of political structure and development, then, the most useful division of the ante-bellum South would be eastern and western regions rather than upper and lower South. Interestingly, it was not Virginia, the oft-cited bastion of aristocracy, but rather North Carolina that retained the most aristocratic state government at the end of the ante-bellum period.

The profiles of social and economic characteristics confirm what would be expected in some cases and provide even more useful information in others. It is not surprising that most officeholders were middle-aged planters, farmers, or lawyers who were native to the state in which they held office or to a neighboring slave state and that the great majority were property holders. It is probably not especially remarkable either that every one of the governors and more than 50 percent of the state legislators who held office during the 1850s (and were located by Wooster in the census returns) held slaves. But it is likely that these proportions are far greater than the proportion of slaveholders among the population in general. Such comparisons deserve more emphasis.

Wooster indicates that most legislators served only one term. This seems particularly interesting in view of the fact that state assemblies were far more powerful than either the executive or the judicial branches of government. Real political influence must have rested in the hands of the few veterans in the legislature, or was it in the hands of local officials, many of whom served for extended periods of time? The author also finds no real socio-economic cleavages between Whig and Democratic politicians in the upper South. Although not a new conclusion, this evidence helps explain how many Whigs could become Democrats during the Civil War crisis, and it supports the "consensus" view of our political history.

There are a few weaknesses in this very useful work. First, the material on the social and economic characteristics of officeholders suffers from lack of context. It is good to know the median property holding of officeholders or the proportion who held slaves, but this information becomes much more revealing if we know the corresponding statistics for the population in general. Secondly, while there is no doubt that institutionally, politics in the upper South were reasonably democratic by 1860, there may be more to democracy then the constitutional structure of government. Exactly how did those who exercised power in office compare with the rest of the people? Were they, for example, far more likely than the average citizen to be wealthy slaveholders? Perhaps, of course, it is democratic for political leaders to be from the economically and socially elite. In any case, Professor Wooster recognizes these problems, and he does not claim to have answered the whole question concerning democracy and aristocracy in southern politics. His book, complete with footnotes at the bottom of the page and an excellent bibliographical essay, is another sound contribution to an understanding of how the ante-bellum South was governed.

North Texas State University RANDOLPH B. CAMPBELL

Blacks on John Brown. Ed. Benjamin Quarles. (Urbana: University of Illinois Press, 1972. Pp. xv, 164. $6.95.)

The black image of John Brown, self-appointed Ossawatomie warrior and sterling abolitionist, is associated primarily with the unsuccessful raid at Harpers Ferry in 1859. Black reaction to this event is more fully portrayed here than in any previous work on John Brown. It is not accidental that Brown evoked a continuing reaction, for he represented a militancy that called for arms, a seizure of power, in the belief that his action was a major step that could bring the slave system to its knees. Brown was mistaken. He failed to attract sufficient men to augment his tiny force, and failed to receive broad ideological support from blacks and whites. Far too many who had supported him only approached the field of battle in latter day pilgrimages. But the event was charismatic, and the charisma of martyrdom which followed lingers to the present day.

Much of what black people thought and said on Brown has been brought together by Dr. Quarles with appropriate introductions and biographical data. Tributes, memorials, and reflections in prose and poetry present diverse interpretations, but a common theme is that Brown's immutable heroism hastened the destruction of slavery.

The ambivalence, or perhaps the wisdom of Frederick Douglass in not joining Brown is expressed in a well-reasoned statement explaining why he did not participate in the raid. More than twenty years later Douglass spoke at Storer College, not far from Harpers Ferry, extolling the grandeur of the event as a peak in the history of abolitionism. Other contemporaries, editors and preachers, addressed themselves similarly though less effectively. The inclusion of Robert Purvis's address to a hostile Philadelphia audience in 1859 where Brown was declared to be the "Jesus Christ of the nineteenth century" would have added a fiery note to Douglass's quiet discourse. Nonetheless, the speakers did represent contemporary sentiment for Brown.

Men of the caliber of Reverdy C. Johnson and Francis J. Grimké likened Brown to a unique biblical figure. W. E. B. DuBois, in his first attempt at biography, saw in Brown a messianic embodiment of the highest virtue.

Brown has not escaped the attention of poets, some not so well known as they should be: Georgia Douglas Johnson, Leslie Pinckney Hill, and Countee Cullen. Of these Cullen, who also saw the image of Jesus in Brown, is by far the best. A generation later, in sharp contrast, the explosive rhetoric of black militants seized upon Brown as the only real white hero in America. But their brief comments burst like fire crackers, flared, and have flickered into oblivion.

Yet most writers concerned with the enigmatic figure of Brown have failed to grasp the obsession of the "old man"—he was 59 in 1859—an age when most people choose weapons other than those chosen by the Kansas warrior; that time of life when men, as Herman Melville has noted, have set aside their ambitions, lost the zeal of their early days, and either fade from the scene or resort to weapons, no less sharp, but less metallic. But Brown was no ordinary man whom a hangman's noose could permanently silence.

The Union League of Philadelphia MAXWELL WHITEMAN

A Compromise of Principle: Congressional Republicans and Reconstruction, 1863–1869. By Michael Les Benedict. (New York: W. W. Norton and Company, Inc., 1974. Pp. 493. $18.95.)

For many years Andrew Johnson was a historical hero and those who opposed him, the so-called Radical Republicans, were consummate villains. It is a measure of the success of the revisionism in Reconstruction historiography, over the last twenty years, that

Michael Les Benedict takes as almost axiomatic that the radicals in the Republican party had the best plan for reconstruction of the federal union after the Civil War. The plan involved confiscation and redistribution of land, a national education policy, voting rights for black citizens, and a long-term probation for the former Confederate states. Benedict's major concern is to explain how the radical plan failed to gain enactment (the so-called Radical Reconstruction being a misnomer when applied, as it still is, to the Reconstruction Act of 1867).

According to Benedict, it happened this way: The Republican radicals, generally united at the end of the war, were split into two factions, "radical radicals" and "conservative radicals," by President Johnson's seizure of the initiative on Reconstruction during 1865 while Congress was not in session. The radical plan was undermined by Johnson's success in defining the issue as, in Benedict's words, "the proper mode of *restoring* the rebel states, not of governing them." Some Republicans (radical radicals) continued to pass for the original plan, while others (conservative radicals), believing that the President's opposition rendered their goals impractical, sought a compromise. Johnson, however, never perceived the radical split and opposed even the most moderate of Congressional enactments (such as the Freedmen's Bureau and Civil Rights Bills of 1866). The Congressional "plan" for Reconstruction, as it emerged from the 39th Congress, was embodied in the very moderate Fourteenth Amendment. Johnson opposed this measure as well and even continued to advise the southern states not to ratify it after he had compaigned unsuccessfully for Democratic candidates in the Congressional elections of 1866.

The 40th Congress might well have pursued the original radical plan, to which had been added the impeachment and removal from office of the President. The southern states had, indeed, rejected the Fourteenth Amendment, and with a two-thirds Republican majority in both houses, the Congress might have enacted the necessary legislation to accomplish a radical reconstruction. And if the President continued to obstruct the laws of Congress, he could have been removed. But Congress passed only the Reconstruction Act of 1867 (and its supplements) and the Fifteenth Amendment. These were far removed from the original radical aims. (Just how far Benedict conveniently summarizes on pp. 242–43.) The conservative radicals had again been influenced by their perception of practicality. This time it was the result of state and local elections of 1867, in which the Republican party had suffered losses sufficient to cause conservative radicals to believe that their constituents would not support a thorough reconstruction.

As for the impeachment proceeding of 1868, Benedict argues that Johnson brought it on himself through his ongoing obstruction of the laws of Congress. In seeking the President's removal, the radical Republicans were, in conservative fashion, attempting to protect the principle of separation of powers.

Benedict demonstrates a truly impressive mastery of primary and secondary sources. His book will be best appreciated by those who have read extensively in the field. But anyone with interest in the subject will find the study rewarding, for Benedict has sorted out in a logical manner that most vexing issue—radical Republican motivation.

Towson State University FRED M. RIVERS

Gentlemen in Crises: The First Century of the Union League of Philadelphia, 1862–1962. By Maxwell Whiteman. (Philadelphia: The Union League, 1975. Pp. xii, 386. $10.00.)

Reading the official history of an institution is often a colossal bore for those unrelated to it, and for professional historians it is usually a frustrating experience. In most instances an author is engaged by an institution to write a panegyric which studiously ignores the failures and artfully obscures those which cannot be avoided. Fortunately, the Union League of Philadelphia, the first of many such organizations, engaged an

accomplished historian to write its centennial history. The result is a sophisticated and scholarly narrative of the Philadelphia League that contributes significantly to our understanding of the Civil War era and also to the role of private clubs in the life of the American city.

The League grew out of the division among upper class Philadelphians over southern secession in 1860–61. This political disagreement ran so deep it destroyed the social cohesiveness of the older city clubs. Therefore the Union League, founded to support Lincoln and the unionist movement, also became a social club where men of similar outlook could meet regularly. The League's Civil War activities—raising troops (both black and white regiments), issuing pamphlets (by the hundreds of thousands), and providing aid for disabled veterans or dependents of those killed—indicates the continuing vitality of private associations in this era. The wealth of material in the League's archives is impressive.

The League, of course, long outlived the historical context from which it grew—indeed, the last of its founders died in 1905. Its major role has been that of a Republican Party club, with the social aspect achieving dominance by the First World War.

It was first intended for Republican members only, but this article was struck from its original bylaws in 1862 to allow pro-union Democrats into the organization. Later, under the strains of the Cleveland era, Republican principles (as defined by the League) became an official requirement for entry. Nevertheless, the League was open to a broader spectrum of city leaders than most Philadelphia clubs. Catholics, Jews, and Italians are found on the League's rolls throughout its history, but the author does not provide a detailed analysis of membership. Also, it is not clear whether black people were ever admitted to membership. Whiteman is certainly sensitive to the race issue. He attempts to document the League's continuing interest in the plight of black people in northern cities as well as the rural South, but the evidence is somewhat elusive. The most forthright action of the League was to raise and provide for the training of several black regiments from Philadelphia in 1863–64 when many of the city's citizens were vehemently opposed to allowing blacks in the union army. It also took some interest in aiding black veterans and widows of blacks who died in the service. However, the statement that the League was "able to cast an objective eye on Northern treatment of blacks and to recognize the growing black urban slum" in the late nineteenth century is not documented. This criticism is not intended to hold men up to derision who, in another age, fail the moral and political precepts of our own, but it would better to admit that the League's racial rhetoric in these years exceeded its deeds. Perhaps this is too much to ask in an official history.

The role of the League in Philadelphia and in Pennsylvania is intriguing, but this aspect of the history is less satisfactory. A number of League members, especially the historian and reformer, Henry Charles Lea, attempted to break the grip of corrupt Republican leaders on the local party positions in Philadelphia, but this raised serious objections from other League members. As a result, the membership compromised the issue by withdrawing from any public position on municipal politics. While refusing official endorsements of municipal reform movements, the League also refused membership to unsavory Republican bosses such as Matthew Quay and the Vare brothers—a curious mixture of political realism and social snobbery.

As a social institution the League has been an unqualified success. Even in its worst years—during the great depression—it had a waiting list for membership. But one is left just a bit dissatisfied with the description of the League as a social institution. If, as the author states, John O'Hara's characterization of the League in *Ten North Frederick* tells us nothing "of the club's intimate life, its politics, its food, or its social nuances in language or manners," Mr. Whiteman's account also leaves the reader wondering about

these matters. Perhaps the author is correct in intimating this is best done by a novelist such as J. P. Marquand who, unlike a historian, can provide intimate detail without embarrassing or exposing any real human beings. An oral history project might be the answer here. Members could give candid interviews and have them withheld until all those who might be hurt or embarrassed had died. It does seem a shame that so fascinating an institution as the Philadelphia Union League Club cannot be captured in this fashion. It would make a worthy companion volume to this excellent official history.

University of Maryland Baltimore County JOSEPH L. ARNOLD

The Education of a Public Man: My Life and Politics. By Hubert H. Humphrey. Ed. Norman Sherman. (Garden City, N.J.: Doubleday, 1976. Pp. xiii, 513. $12.50.)

This is not a formal, documented autobiography, but a series of reminiscences dictated by Senator Humphrey between 1969 and the mid 1970s, and edited by his former press secretary Norman Sherman. Thus *The Education of a Public Man* does not and need not make any pretense to scholarship, which is fortunate because the book contains numerous factual errors. Humphrey totally confuses, for example, his controversial effort of 1954 to outlaw the Communist party with an attempt four years earlier by Senate liberals to weaken the infamous McCarran Internal Security Act.

But the book rises well above such errors. It is a touching, often incisive account of one of the most important political careers of the twentieth century. The opening chapters are especially evocative, tracing Humphrey's youth and young manhood in the depression-cursed yet still somehow idyllic small towns of South Dakota. No one who reads these early sections can fail to marvel at the American success story told there, and to reflect upon how reluctant any person would be to give up such success. A penniless young man, married with one child, arrives in Minneapolis at the age of 26 for the purpose only then of finishing college. Six years later he barely misses becoming mayor of the city; two more years and he is the mayor; little more than a decade after his arrival he is elected U.S. Senator from Minnesota.

Humphrey etches an equally sharp but decidedly less idyllic portrait of the Senate of the early 1950s, dominated by a southern-controlled seniority system and by elaborate rules of courtesy which, he quickly found out, did not apply to those who tried to expose it as a sanctuary for racism and special interest favors. Worse yet the chamber was rent by a blindly partisan, know-nothing spirit, "a critical and cynical . . . negativism in politics," which Senator Robert A. Taft, tragically, would not "use his considerable ability and his immense power of leadership to curb." But Humphrey remains critical of his liberal colleagues of those years who were suspicious of his eventual accommodation to the mores of the club. Such "purists," he notes "are virtually impossible to . . . organize. Each goes his separate way, feeling that he is a . . . little purer than any of the others." The Senator is defiantly unapologetic about his gradual rise to influence under the tutelage of majority leader Lyndon Johnson, for, he argues, his ultimate goal was destruction through infiltration, the liberation of the Senate from its bondage to the South and to the filibuster. Consequently he sees the 1964 Civil Rights Act, for which Johnson and he were mainly responsible, as the unchallengable vindication of both his strategy and his collaborator, which allows him to get a little of his own back at the expense of his long-time liberal critics. "Compromise," he proudly asserts, "is not a dirty word," adding condescendingly that of course there is always a need in politics for "the self-appointed moralists, the secular theologians who would create the heavenly city on earth by fiat."

Humphrey is similarly pointed in speaking of the Kennedys. He admits their political genius, admires and envies the way John Kennedy turned wealth and youth into assets

which overwhelmed his own, more traditional "common man" appeal in 1960. ("Mink never wore so well, cloth coats so poorly.") Yet "underneath the beautiful exterior, there was an element of ruthlessness that I had trouble either accepting or forgetting," a ruthlessness, Humphrey unmistakably suggests, which he was to meet again in later years.

Despite these flashes of candor, however, *The Education of a Public Man* has understandably been dismissed as a shallow and disingenuous performance because it fails to deal at all with the really fundamental questions which, whether fairly or unfairly, the Vietnam War and the urban riots have raised about the effectiveness and the morality of Humphrey's cold war-new deal liberalism, and about his role in espousing it. Was there, for instance, an element of red-baiting involved in his "purge" of supposed communists from the Minnesota Farmer-Labor party in the late 1940s? How does the Senator now re-evaluate the fateful decision of 1950 to go into North Korea? Above all, what did he really think of our Vietnam involvement? On these matters the work is silent or evasive. As Mr. Joseph Rauh suggests, this does not appear to be "a book of answers," causing him to wonder whether it was not intended merely "as a 1976 campaign document."

Certainly Humphrey's discussion of the Vietnam debacle is misty and unedifying. He recounts his initial opposition in 1965 both to bombing and to the dispatch of combat troops, quoting in full the now celebrated memorandum to President Johnson which called upon the Administration to "cut [its] losses" in a "year of minimum political risk." But he can give no better reason for his eventual support of the Johnson war policy than the fact that he talked to many Asian leaders the next year and was told that the American military presence was important to the "defense of the freedom of millions of people." The Senator conveniently fails to mention that when Clark Clifford (whom he praises) heard the same kind of talk from these same leaders, he was shrewd enough to see that it demonstrated the bankruptcy of America's Vietnam policy—because none of them was willing to match his words with significant material support.

There is little in this account to rebut the oft-made charge that political ambition played a critical role in shaping Humphrey's Vietnam views. Indeed he seems to admit as much as he reflects on the 1968 election. "I had a choice," he says. "Break with the President. . . . Or muddle through. Really no choice if I wanted to be President. And I do, how badly I do."

Yet taken as a whole *The Education of a Public Man* points toward a more subtle, perhaps more elevated explanation for whatever omissions or evasions are contained in its pages. It suggests that they flow not primarily from intellectual carelessness or campaign expediency but from the very traits which have made Humphrey a major statesman of his time. For the book vividly documents the fact that much more than the average political leader he rose to power on a wave of historically seminal political ideals in which he deeply and emotionally believed, which he fervently articulated and championed, and which fundamentally reshaped American society in his own generation—with at least partially beneficial effects. Keynesian, quasi-egalitarian liberalism and an internationalist outlook tinged with a prudent, strategically-limited anti-communism are scarcely indefensible notions today. To the young Humphrey, whose capacity for becoming enraptured has frequently been commented upon, they seemed the quintessence of decency, especially when contrasted with the sterile, laissez-faire isolationism which confronted him in the 1940s. The Senator's formative years, therefore, were pre-eminently free from any doubts that his pursuit of office and influence was in a noble cause. Unlike a thoughtful conservative such as Taft, he never felt forced constantly to re-examine and question old assumptions; unlike shrewd cynics such as Lyndon Johnson or Joe Clark, he has never really perceived the grasping self-interest which to some degree motivates all ideologies. Thus for all his brilliance Hubert Humphrey is really the

last man who could be expected to question his earlier actions and opinions, or even to think very much about them. He is almost as out of touch in his own way with the preoccupations of a generation of revisionist historians as was a cold war ideologue like Dean Acheson. In all likelihood he simply has never agonized over the Korean War or his role in post-World War II Minnesota politics. And if his agonizings over Vietnam are disingenuous, they are not, one would guess, blatantly dishonest. They constitute a set of signals which taken in context reveal his true feelings about the war: that tragically ill-advised though it surely was, it did not repudiate or even compromise America's basic commitment to decency in the world; that it would somehow come out alright in the end; and that therefore it was not worth a constitutional crisis which might put the government into the hands of those who had never proven themselves decent or responsible.

Though he does not make any explicit comparisons, Humphrey seems to juxtapose the relatively civilized, non-partisan Senate-Executive dispute over Vietnam against the grotesquely irresponsible, partisan debates over Far Eastern policy which took place during his first years in the Senate, as if to draw comfort somehow from contrasting the moronic, hate-filled ravings of a William Jenner with the sober words of men such as Fulbright and Harriman and McNamara, all of whom were "struggling with their consciences, with the complexities of life." The role of the irresponsibles in the later debate, Humphrey suggests, belonged to that abusive minority of Vietnam protesters who shattered the facade of civility and who challenged the notion of America's good intentions.

It is this invincible belief that America can never deliberately do evil, so self-serving and yet so sincere because it is held by a man who has himself done so much authentic good, which allows Humphrey to resolve the contradictions in his conduct. Thus at one moment he can acknowledge a political motive for his complicity in a war in which he never really believed; yet the next moment he can say, "I could have gotten us out of that bloody war. I'd have taken chances for peace. Nixon won't." Then, "Damn it, I love this country. We could have done so much good." In that melange of sentiments, as in its total effect, *The Education of a Public Man* aptly conveys both the greatness and the smallness of Hubert Humphrey.

Towson State University MARK WHITMAN

Type Foundries of America and Their Catalogs. By Maurice Annenberg. (Baltimore: Maran Printing Services, 1974. Pp. 245. $30.00. Limited to 500 copies.)

In 1951 Ralph Green produced a compilation of old types catalogs, *Guide to American Trade Catalogs,* and considering the difficulties he encountered, he did a commendable job. In the last quarter century, however, a new sophistication in bibliography has spread, and whereas historical societies and other similar institutions were run by very small staffs, most have now developed their expertize so that questions once remaining unanswered are for the most part answered quickly. Maurice Annenberg has attempted to challenge Helmut Lehmann-Haupt, who in 1951 declared, "The real story of American type founding has yet to be written. . . . " This beautifully designed quarto, fully illustrated with many items from type foundry catalogs, takes up the challenge admirably, and if it does not completely answer it, this will surely be the last book to attempt to complete and update Green, from 1900 to 1941.

Mr. Annenberg's attempts to trace type catalogs were often unrewarding, yet with incredible tenacity he has produced a remarkable collection. He gives a condensed history of each foundry, and for good measure he describes the catalogs professionally and records the locations of copies. It would have been a triumph if he could have disposed of once and for all the question as to whether the Baltimore Type Foundry was the first foundry in the

United States, but it seems that this question may never be solved. In all, seventy-six foundries are discussed and the book must be considered a definitive reference work in the field. With many interesting stories of the companies, it is also of use to historians.

If indeed the present time is, as Mr. Anneberg claims, the twilight of the metal typesetting trade, his study is most timely and probably would be impossible to make in another ten years. Certainly his claim that it is the first book in the graphic arts field produced without metal type cannot be questioned, and for the printing buffs it is interesting to know that all text is composed by the Mergenthaler V-I-P variable input phototypesetter!

Maryland Historical Society P. W. FILBY

American & British Genealogy & History, a Selected List of Books. Compiled by P. William Filby. Chicago: American Library Association, 1976. Pp. 467. $25.00.)

Any review of Mr. Filby's current work must of necessity invite a comparison with the first edition of the same title published in 1970. The new edition lists more than three times the number of titles than the first edition. The number of pages has increased by almost the same percentage, while the price was increased only by two and one half times, certainly a refreshing note in these inflationary times.

By including Latin American titles, the new edition rounds out the American scene, and the British is enlarged by the addition of items on the British Dominions and former Dominions. The division into sections—The United States (which is sub-divided into general areas, the fifty states, and Puerto Rico); Canada, England, Ireland, Scotland; British Dominions and former Dominions—with the comprehensive index makes the work easy to use.

A great number of the titles included have been annotated by Mr. Filby with the assistance of a number of regional authorities. These annotations, succinct and honest, do much to guide the uninitiated genealogist along the path to awareness.

Certainly the most comprehensive bibliography in the field, this book should be in the hands of every librarian charged with the purchasing of genealogical materials. Mr. Filby's work, however, is not for the librarian alone, but for all genealogists as a guide to building their own personal library and to general research in America and Britain, encompassing as it does titles of general reference: bibliographies; records, guides, and indexes; biographies; censuses; atlases, maps, and gazetteers; manuals and aids; colonial and pre-colonial lists; immigration; ethnic groups; pension and military records. Not only are the most important titles present, but the names and addresses of current publishers are also listed.

Mr. Filby sets a standard of excellence in bibliographical accuracy and selection which will remain as a beacon for others in the years to come.

Maryland Historical Society MARY K. MEYER

Book Notes

The Reaffirmation of Republicanism: Eisenhower and the Eighty-Third Congress. By Gary W. Reichard. (Knoxville: University of Tennessee Press, 1975. Pp. xv, 303. $14.95.) This is a careful investigation of the relationship between a President and a Congress during the only time both were Republican simultaneously since the Hoover Administration. Concentrating on four areas of executive-legislative interaction—foreign, economic, welfare, and power policies—the author shows that Eisenhower was an effective party chief, far more of an activist in this regard than many observers have suspected. Except in foreign affairs, however, where he altered his party's position toward greater acceptance of American internationalism, the former general was no innovator, no harbinger of a "New Republicanism." He was, rather, a thoroughly orthodox conservative. Along with most members of his party, Reichard declares, he stood for "balanced budgets, lower taxes, encouragement of private enterprise and reduction in the scope of federal authority." In other words, Eisenhower was a concerned leader but not, as some have believed, a moderately progressive one. Although this interpretation is less striking than the author suggests, his meticulous research, responsible application of quantitative analysis, and clear presentation make his book one of the most significant political studies we have of the 1950s. [M. I. Scholnick]

The Working White House. Text by Haynes Johnson. Photographs by Frank Johnston. (New York: Praeger Publishers, a *Washington Post* Book, 1974. Pp. 185. $9.95.) This is a delightful brief history of the Executive Mansion as a home for Presidents and their families and as a place of employment for the servants, secretaries, and guards who have attended them. Accompanied by 150 photographs of everything from the switchboard to a state dinner, most of the book is devoted to the current administration. And it depicts, in the pomp that over recent decades has engulfed the White House, the vestments of the imperial presidency. Unfortunately, this phenomenon has less innocent manifestations. [M. I. Scholnick]

Alexander "Boss" Shepherd and The Board of Public Works. By William M. Maury. *G. W. Washington Series* (Washington: George Washington University, 1975. Pp. v, 57. $3.00.) This brief monograph (really a long article) is the third in a series of studies by the members of George Washington University whose purpose is to examine Washington as an urban center rather than as the seat of national government. "Boss" Shepherd was the dominant figure in the short-lived experiment in self-government that the District of Columbia enjoyed between 1871 and 1874. As the head of the Board of Public Works, Shepherd acted like other urban bosses by granting favors to friends and relatives and by abusing his legal powers. But also like other bosses Shepherd provided needed leadership in a city neglected by Congress and cluttered by unplanned growth. In fact, Maury suggests, Shepherd's projects for improving streets, water supply, and sewerage were important in silencing proposals to move the nation's capital elsewhere. Eventually the opposition of Conservative Democrats and anti-Grant Republicans, coupled with clear evidence of corruption uncovered in two congressional investigations, ended Washington's short experiment in home rule. The memory of this failure, Maury says, lingered on to hamper later attempts to free the District of Columbia from congressional control over the next century.

If all the studies of this series are as well researched and clearly written as this brief study of Boss Shepherd's years, Washington will be able to declare its independence as an urban center instead of being merely the setting for the national capital. [Dean R. Esslinger]

Reluctant Reformers: Racism and Social Reform Movements in the United States. By Robert L. Allen, with the collaboration of Pamela P. Allen. (Garden City, New York: Anchor Press/Doubleday, 1975. Pp. 347. $3.50.) Black Americans always have been particularly alert to racism in American society, and to their disappointment, they found it existed even within the "reform" movements. In a calm and sensitive summary of the abolitionists, populists, progressives, women suffragettes, labor unionists, and socialists/communists/Trotskyites, Robert L. Allen pinpoints this American dichotomy. He reviews that history from entirely secondary sources, but his succinct collation has value. So many white reformers were unable to rid themselves of stances and actions which were paternalistic toward blacks, or opaque, or expedient. White women suffragettes in the 1870s were quite willing to delay the enfranchisement of black men; local white labor unionists welcomed white foreigners as apprentices and shut out native black Americans; white American socialists and communists shunted aside the priorities of independent black socialist, A. Philip Randolph, whom Allen justly credits with having brought about essential reforms in national policies on employment and the armed services. The reader will glimpse other black leaders, and, in the latter part of the volume, will find Allen's analysis of the relation between "capitalism" and "racism," and his thesis that America must become whole, with essential reforms appearing as reformers, of necessity, modify their fundamentally "bourgeois" ideological base. [Perra S. Bell]

Ancient Indians of the Southwest. By Alfred Tamarin and Shirley Glubok. (New York: Doubleday & Company, Inc., 1975. Pp. 96. $5.95.) Intended as a book for young readers, the subject material consisting of text and illustrations is compressed into a net space of eighty-five pages. The organization is basically chronological, the description of each culture or group of cultures serving as one of seven chapters. There are appropriate photographic illustrations, and occasionally drawings of characteristic artifacts or archeological sites. Most of the illustrations are of high quality and provide a stimulating glimpse of a rich and beautiful archeological record, although some of the captions might have been more informative.

Unfortunately this book is rather poorly written, and also reveals gaps in the authors' familiarity with natural history. This may contribute to an impression conveyed by the initial chapter, "The Ancient People," that the authors are naive concerning human and animal population dynamics. The accounts of later periods have more artifactual backup available to lean upon, and therefore are more informative. A particularly interesting chapter concerns the Hohokam, an advanced agricultural people who lived in houses, built mounds of adobe bricks, and had ceremonial games using rubber balls. These and the remaining descriptions of the cultural traits of other peoples, as inferred from archaeology, provide a primer to the wealth and mystery of the ancient past of the Americas. A glossary of terms and pronunciation would have been helpful. [Robert H. McCauley, Jr.]

The Diary of Jacob Engelbrecht 1818–1878. Edited by William R. Quynn. 3 vols. (Frederick: The Historical Society of Frederick County, Inc., 1976. $40.00.) Engelsbrecht (1797–1878) was a tailor and storekeeper who also held a number of political offices in Frederick, including mayor after the Civil War. The diary comments on the usual

things—visitors, elections, deaths, weather—although the entries tend to be very brief and sketchy. However, as the editor points out, the diary is valuable because it is a daily record of Frederick City and County. The diary did, at least, deserve better treatment. It was not "edited" as the title page announces; it is merely a transcription with no editorial comments and aids, unindexed, and unpaginated. This book is very disappointing. [Richard J. Cox]

The National Genealogical Society publishes an excellent journal for genealogists, and from time to time it issues separates where it is considered that a booklet will be of general interest. Special publications number 29 is one such pamphlet; it is called *Feudal Genealogy,* and is written by Walter Lee Sheppard, Jr. Mr. Sheppard, a professional genealogist of some years standing, reveals a knowledge probably unsurpassed by any American, and his succinct study of feudal genealogy is masterly. Parish registers, rolls, testaments, inquisitiones post mortem, chancery warrants, deeds, calendars, and other paraphernalia concerned with the period under study, are described, and there is a bibliography and several plates explaining the types of documents encountered. There are 32 pages packed with information for the low price of $2.50. A must for most libraries and students from the Society: National Genealogical Society, 1921 Sunderland Place, NW, Washington, DC 20036. [P. W. Filby]

The three Ellicott brothers, Joseph, Andrew, and John, came from Bucks County, Pennsylvania, to what was later known as Ellicott's Mills in about 1770. After several years a burial ground was established, and this is the subject of a study by C. Ellis Ellicott, *The Old Ellicott Family Burying Ground at Ellicott City, Maryland.* Ellicott Graveyard, Inc. was established in 1925, and to celebrate its fiftieth anniversary Mr. Ellicott wrote a pamphlet describing the vicissitudes of the graveyard and the activities of the Association. The pamphlet of eight pages has several illustrations and is a contribution to the history of Maryland. Available from the author (limited edition), 308 Edgevale Road, Baltimore 21210, for $1.50, post paid. [P. W. Filby]

A History of Relay, Maryland, and the Thomas Viaduct, by Daniel C. Toomey, tells the story of an area frequently visited but where hardly an original building now survives. In a pamphlet of 23 pages, Mr. Toomey describes the area as it was with a number of illustrations of buildings long since destroyed. From the author, 27 Glendale Avenue, Ferndale, Maryland 21061, for $2.00. [P. W. Filby]

Norman B. Wilkinson, the compiler of a fine bibliography of Pennsylvania history, has turned his attention to papermaking, and in *Papermaking in America* he has recounted the story from early hand processing to modern machine production. Since the booklet is published by The Hagley Museum, there is of course some emphasis on the Delaware-Pennsylvania area. Such a concise study (64 pages) with many illustrations, and under the imprint of The Hagley Museum, is a must for anyone interested in this field. As is usual with the Museum's publications, it is immaculately printed and the illustrations are beautifully produced, all for the surprisingly low price of $2.50, from the Museum, Greenville, Wilmington, Delaware 19807. [P. W. Filby]

For genealogists and others needing information, the location and details of genealogical societies are surprisingly scarce and even when listed seldom are completely correct. This lack has been successfully overcome by Mary K. Meyer, the Maryland Historical Society's genealogical librarian, in her *Directory of Genealogical Societies in the United States of America and Canada.* No fewer than 500 major and minor societies have been listed, mostly with address, foundation and library details, publications and other

important facts. Many genealogical periodicals are issued independent of these societies, and they are listed as an appendix. Finally there is a complete index of the genealogical societies. An entirely satisfactory and well edited and printed book of 73 quarto pages. Price $5 from Mrs. Meyer, Rt. 10, Box 138-A, Pasadena, Maryland 21122, or from the Society's library. [P. W. Filby]

Orphans and Infants of Prince George's County, Maryland, 1696–1750. By Dorothy H. Smith. (Annapolis: the compiler, 1976. Pp. 116, vii. $10.00.) As the euphonious title suggests, this work consists of abstracts of the Prince George's County Court Proceedings, 1696–1750, which dealt with orphaned and infant children. Not all the infant (minor) children in these records were orphans but may have been "bound out," i.e. apprenticed by one or both parents. In some instances a guardian was appointed to manage the estate of a minor. The majority of the records state the age and/or date of birth of the child, and the name of at least one parent or other relative. This is most certainly a major contribution to Prince George's County genealogy, and it is also useful for those counties which were later formed out of the original Prince George's County. [Mary K. Meyer]

Upstairs & Downstairs in a Victorian Doll's House. Rhymes by Mary Hamilton Moe, Drawings by Carol Stuart Watson, (Baltimore: Hamilton Cottage Press, Maryland, 1975. $3.00.) *Two Children of Colonial Annapolis.* Story and Drawings by Ann Jensen, (Annapolis, 1975.) A charming book, *Upstairs & Downstairs in a Victorian Doll's House* provides an attractive introduction to Victorian family life. With the help of a doll house and a family of dolls, the reader is taken on a room-by-room illustrated tour of a Victorian house, visiting the conservatory, drawing room, and the nursery, to mention a few. The illustrations are magnificent and the rhyming text contains much information. The glossary was most helpful and using it was fun and made the text more interesting. A brief history of Annapolis during the Revolutionary War period, *Two Children of Colonial Annapolis* describes the effect the Revolution had on an Annapolis family and their two children, Sarah, eleven, and Joseph, eight. After you finish the explanation, there are simple paper dolls in the back which portray the family in their period clothing. Every doll has two changes of clothes and all of the garments have a paragraph explaining their use. Reading *Two Children of Colonial Annapolis* made me feel that I was improving my knowledge of American history and reminded me of books used at school and other books that I have seen at the sales desks of historical societies. *Upstairs and Downstairs in a Victorian Doll's House* was more like a present you might receive from a bookstore in Georgetown. [Julia Hooper Somerville, age 12]

Notes and Queries

TENCH TILGHMAN INFORMATION WANTED

A definitive, in depth biography of Lieut. Colonel Tench Tilghman (1744–86), aide-de-camp to and confidant of General George Washington, is being prepared by the undersigned. Information regarding his early life (prior to 1765, and in particular any evidence of boyhood friendships with either Charles Willson Peale or Robert Morris) would be gratefully received. Also desired is information leading to letters or documents regarding Tilghman's life now in private hands.

Does anyone know the location and present ownership of an account of the life of Matthew Tilghman (1718–90) left by his daughter Anna Maria, wife of Lieut. Colonel Tilghman, mentioned on page 426 of Oswald Tilghman's *History of Talbot County,* Volume I? All replies will be held in confidence.

L. G. Shreve
101 Goodale Road
Baltimore, Maryland 21212

WOMEN'S HISTORY

The Second Conference on the History of Women will be held in October of 1977 at the College of St. Catherine in St. Paul, Minnesota. It is sponsored by the Women Historians of the Midwest and the Chicago Area Women's History Conference Group. Abstracts of papers in all areas (please send two copies) should be mailed by May 1, 1977, to:

Conference on the History of Women
College of St. Catherine
St. Paul, Minnesota 55105

WILLIAM LEIGH BRENT COMMEMORATIVE CEREMONY

In a commemorative ceremony on April 26, 1976, Glenn R. Conrad eulogized William Leigh Brent, first representative of the Third Congressional District of Louisiana. This ceremony took place at the restored tomb of Brent, located in the St. Martin of Tours Cemetery, St. Martinville, Louisiana. The restoration of the tomb was the bicentennial project of the Attakapas Historical Association.

Brent was born at Port Tobacco, Maryland, on February 20, 1784. Receiving a law degree from Georgetown, he established a legal practice in Hagerstown, Maryland. Shortly after the election of President Madison, Brent was appointed attorney general for the Western District of Orleans.

On April 4, 1809, Brent married Maria Fenwick of Maryland. Shortly after their marriage they moved to the Opelousas and Attakapas counties of Louisiana. They resided for a short time at a farm they had purchased northwest of Opelousas, Isle L'anglois. There the first of ten children was born.

Shortly thereafter, Brent moved his family to St. Martinville where he was appointed in 1812 as the second postmaster of the town. In 1822 Brent was elected to Congress and served as the first representative of the Third Congressional District until his defeat in 1828.

In 1844 Brent returned to St. Martinville. His wife Maria had died in 1836. At the time of his return his children had reached adulthood and established their own lives. His son James married Laura Overton, daughter of Congressman Walter Overton of Rapides Parish, Louisiana; Edward married Fanny Baker, daughter of Judge Joshua Baker of Franklin, Louisiana.

In 1846 Brent married Ann Thornton of St. Louis. They resided in St. Martinville and Brent practiced law in partnership with his son Edward. Brent died of apparent heart failure on July 3, 1848; he is buried in the St. Martin of Tours Cemetery.

CONFERENCES ON STATE AND LOCAL HISTORY

The Newberry Library, with support from the National Endowment for the Humanities, will sponsor national conferences on College Teaching of State and Local History for the next *three years*. These conferences will provide a forum for the exchange of new ideas, fresh techniques, and innovating teaching strategies, including student archival research, community and demographic studies, oral history, film production, cooperation with museums, etc. Ten to fifteen fellowships will be available for college teachers wishing to spend the spring semester at the Newberry in research, writing, or curriculum development in the field of state or local history. The first conference will be held from January 13–16, 1977. Applications are due November 15, 1976 for the first conference but are also now available for the 1978 and 1979 conferences.

Teachers, researchers, archivists, librarians and curators are invited to write for further information to Richard Jensen, Family and Community History Center, The Newberry Library, 60 W. Walton, Chicago, Illinois, 60610.

NEWBERRY SUMMER INSTITUTE

The Sixth Newberry Summer Institute will take place in Chicago, June 8 to July 8, 1977. The intensive program of lectures, workshops, laboratories and discussions is designed to provide a thorough introduction to the basics of quantitative historiography, particularly statistics, computers, research design, historical demography, and to the key methods in the "new" social and political history. Historians are invited to apply regardless of field; advanced graduate students are welcome. No previous training in statistics, mathematics or computers is needed. The Institute is sponsored by the National Endowment for the Humanities and the Rockefeller Foundation, and fellowships are available. For further details and application forms (due March 15, 1977), write Richard Jensen, Family and Community History Center, Newberry Library, 60 W. Walton, St., Chicago, Illinois 60610.

AARON BURR INFORMATION WANTED

Our project would appreciate any information concerning letters to or from Aaron Burr or any documents written by Burr. Such materials will be included in a definitive microfilm edition of Burr papers to be published by the New-York Historical Society.

Mary-Jo Kline
Editor, The Papers of Aaron Burr
New-York Historical Society
170 Central Park West
New York, New York 10024.

A MARYLAND FAMILY OF BARONETS

Our member, Milton Rubincam, 6303-20th Ave., Green Meadows, W. Hyattsville, MD 20782, is tracing the descendants of William Wyvill, who settled in Maryland, dying in Frederick Co. before 21 June 1753 (Testamentary Proceedings, vol. 33, part 2, folio 127). His wife's name is unknown but his children were Jane, Marmaduke, William, Edward Hale (the sons all of Anne Arundel Co.), and possibly one or two other daughters.

William Wyvill, the immigrant, was the eldest son and heir of Darcy Wyvill, Collector of Excise at Derby, who was the second son of Sir William Wyvill, 4th Baronet, of Constable Burton, Yorkshire, England (d. *ca.* 1684). The baronetcy became dormant on 23 February 1774 with the death, unmarried, of Sir Marmaduke-Asty Wyvill, 7th Baronet. The nearest heirs to the title were the sons of William Wyvill of Frederick Co., but they advanced no claim to it.

The purpose of this investigation is to determine if the Maryland baronetical family still exists in the male line in America and who the *de jure* Baronet may be. The last one who could have claimed the title died a few years age—Mr. Newlon D'Arcy Wyvill, of Winchester, Va., who left a daughter but no male heirs. Mr. Rubincam will appreciate any information concerning the present representatives of the family.

The baronetical family must not be confused with two other Maryland families of the name. William Wyvill was clerk of Cecil County from 1701 to 1702. The other family, which resides in Prince George's Co., is descended from Joseph Wyvill (b. 1759), of Frederick Co., son of Anna Maria Wyvill, widow.

ANTIQUES
&
FURNITURE
RESTORATION
since 1899

J. W. BERRY & SON
222 West Read Street
Baltimore
Saratoga 7-4687

Consultants
by Appointment to
The Society

THE
PURNELL
GALLERIES

•

Original Oil Paintings
Water Colors
Signed Limited Edition
prints, bronzes,
wood carvings.
Contemporary Graphics
Porcelains
Lalique Crystal
Restoration
Artistic Framing

•

407 North Charles St.
Telephone 685-6033

COLLECTORS' AUCTIONS
CATALOG SALES

of fine books, antiques, art works, letters & documents, antique weapons. Receive fair prices through competitive bidding. Appraisals, judicial sales, estate sales conducted for individuals, executors and attorneys.

Write for information concerning our catalog subscriptions, or phone (301) 728-7040

HARRIS AUCTION GALLERIES

873-875 N. HOWARD STREET, BALTIMORE, MARYLAND 21201

MEMBER: APPRAISERS ASSOCIATION OF AMERICA
AUCTIONEERS ASSOCIATION OF MARYLAND

NOW AVAILABLE

GENEALOGICAL RESEARCH IN MARYLAND: A GUIDE

By Mary Keysor Meyer
Assistant Librarian and Genealogist

Enlarged and revised edition
8½ x 11 Spiral Bound
$6.00*
including postage and handling
*Maryland resident please add 4% sales tax.

THE MARYLAND HISTORICAL SOCIETY
201 West Monument Street
Baltimore, Maryland 21201

TONGUE, BROOKS & COMPANY

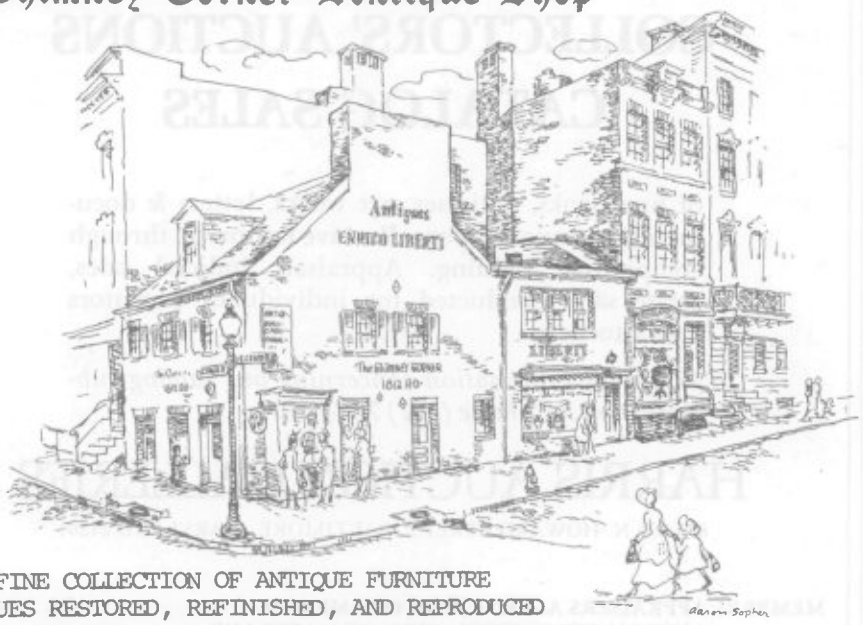
INSURANCE

Since 1898

— • —

213 ST. PAUL PLACE
BALTIMORE

Chimney Corner Antique Shop



FINE COLLECTION OF ANTIQUE FURNITURE
ANTIQUES RESTORED, REFINISHED, AND REPRODUCED
532 St. Paul Street Baltimore, Md. 21202
Phone: 837-6919

Enrico Liberti, Prop.

Fine Lettering
AND
Illumination

Citations
Commemoratives
Coats-of-Arms
on calfskin & paper

STEPHEN HEAVER, JR.
BALTIMORE
235-6144

For nearly 30 years we have been actively reprinting out-of-print books on

GENEALOGY
LOCAL HISTORY
HERALDRY

Write for free catalogues.

GENEALOGICAL
PUBLISHING CO., INC.
521-523 St. Paul Place
Baltimore, Maryland 21202

Origin and History of Howard County

383 pages, richly illustrated; 29 coats-of-arms of distinguished families in full color; 54 reviews of prominent families and 32 photographs of their residences plus an ample bibliography and an extensive index.

The Carrolls of Carrollton
A Signer of the Declaration of Independence and leader in many fields

The Dorseys of Hockley-in-the-Hole
One of Maryland's foremost families

The Ellicotts, founders of Ellicott City
Builders, manufacturers, planters, teachers, surveyor of Washington

The Clarks of Clarksville
Planters, importers, soldiers, administrators

The Greenberrys of Whitehall
Leader in civil and military affairs, Governor of Maryland 1692

The Griffiths of ancient lineage
Descendants of Welsh kings and vigorous leaders in the colony since 1675

The Howards of noble ancestry
The county bears the name of this distinguished, aristocratic family

The Igleharts, distinguished in law and medicine
trace their Saxon lineage back to the Second Crusade

The Ridgelys of great distinction
One of the most aristocratic and active families in the colony

The Worthingtons of Worthington Valley
In the colony since 1664, this family was active and prominent in all its affairs

Brown, Davis, Gaither, Hammond, Warfield, and several score other Maryland families who distinguished themselves in Howard County history

On sale direct from the author, Mr. Charles Francis Stein, 17 Midvale Road, Baltimore, Maryland 21210 @ $19.50 per copy, shipped postpaid. Where applicable 4% sales tax should be added.

CLASSIFIED ADVERTISING

PHOTOGRAPHY *Since 1878* **HUGHES CO.**

Copy and Restoration Work a Specialty.
Black and White or color.
Phone: 889-5540

C. GAITHER SCOTT
115 E. 25th Street
Baltimore, Md. 21218

PLUMBING — HEATING — AIR CONDITIONING

M. NELSON BARNES & SONS, INC.

Established 1909 *Phone:* 666-9330 117 Church Lane, Cockeysville 21030

FAMILY COAT OF ARMS

A Symbol Of Your Family's Heritage From The Proud Past

Handpainted In Oils In Full Heraldic Colors — Size 11½ × 14½ — $ 20.00

Research When Necessary

ANNA DORSEY LINDER
PINES OF HOCKLEY
166 Defense Highway Annapolis, Maryland 21401 *Phone:* 224-4269

FALLON & HELLEN, Inc.

TRADITIONAL FURNITURE AND INTERIORS
In the Williamsburg Tradition since 1922
Phone: 539-3345 11 W. Mulberry St., Baltimore, Md. 21201

'Specialists in Antique Maryland & American Silver'

F. F. Duggan, Jr.
N. S. Duggan
P. M. Duggan

831 N. Howard Street
Baltimore, Md. 21201
(301) 462-1192

MARYLAND HISTORICAL PRINTS

1752 to 1889

BY LOIS B. MCCAULEY

A long awaited work now available

This beautiful book may now be obtained at the Maryland Historical Society. It contains 338 illustrations, 32 in full color, of engravings and lithographs representing the diversity of Maryland prints from 1752 to 1889. Each print is carefully described, placed in its geographical and historical context, and its significant features aptly discussed. Biographical sketches are provided for each Maryland printmaker whose work is represented. The work has 275 pages, is bound in green, with a comprehensive bibliography and index, and thru the generosity of Mr. Robert G. Merrick it will be possible to purchase a copy for only $17.50 plus 70¢ state tax and 75¢ mail and handling costs. The edition is limited, so early ordering is advised.

Announcing . . .

A MAJOR EXHIBITION AND CATALOGUE

FOUR GENERATIONS OF COMMISSIONS

MARCH 3—JUNE 29, 1975

THE PEALE COLLECTION

OF THE MARYLAND HISTORICAL SOCIETY

201 WEST MONUMENT STREET, BALTIMORE, MARYLAND 21201

A 200-page illustrated catalogue may be purchased at the Maryland Historical Society for $7.00 per copy (plus 28c sales tax). Mail orders $8.00 including postage and handling.

INDEX TO VOLUME LXXI

Names of authors and titles of papers and original documents printed in the *Magazine* are set in capitals. Titles of books reviewed or cited are set in italics.

B

C

E

G

H

I

J

N

O

P

X-Y-Z