

MSA SC 5881-1-290

Maryland Historical Magazine



Published Quarterly by The Museum and Library of Maryland History
The Maryland Historical Society

Spring 1978

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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. © 1978, Maryland Historical Society.

MARYLAND
HISTORICAL
MAGAZINE

Vol. 73
No. 1
Spring 1978

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This issue of the *Maryland Historical Magazine* has been made possible through the generosity of the University Park Press, T. Rowland Slingluff, Chairman.

BALTIMORE WASHINGTON'S MONUMENT Number 2. DRAWN FROM NATURE BY AUG. KÖLLNER. LITH. BY DEROY—PRINTED BY CATTIER. NEW-YORK & PARIS, PUBLISHED BY GOUPIL, VIBERT & CO. ENTERED . . . 1848 BY AUG. KÖLLNER . . . NEW-YORK. ** Lithograph, printed in buff tint. Some impressions hand colored. From *Views of the Most Interesting Objects* ([1848?]), pl. 2.

This view drawn by August Köllner and lithographed by Derooy shows the monument and the area to the south as seen from Hamilton Street, which Buckingham's *America* calls "the fashionable quarter, in the vicinity of the Washington Monument." "The houses," Buckingham continues, "are chiefly built of fine red bricks . . . of excellent quality, and beautifully worked here. . . . In the neighborhood of the town there are fine quarries of granite and marble, these two materials are used for surbasements and flights of steps [Baltimore's characteristic white marble steps] and both are of the finest colour and quality." The brick townhouses on the left once stood on the site of the Cokesbury Bookstore and the modern multi-storied Westminster House. Those to the right are still standing. At the top of the hill to the left of the monument is the Greenway House (erroneously drawn with pillars) and to the right the Charles Howard House.

Buckingham, *America*, p. 403.

The Maryland Gentry in Old Georgetown: 1783-1861

HAROLD W. HURST

GEOGETOWN, FOUNDED IN THE 1750s BY SCOTTISH FACTORS CONNECTED with the tobacco trade, was incorporated in 1789 by the state of Maryland. In December of 1791 it became a part of the newly created District of Columbia, but remained a separate town governed under the provisions of the original charter which was amended from time to time. The majority of important merchants and influential citizens who contributed to the growing town's prosperity during the latter quarter of the eighteenth century were from southern Maryland, and the gentry from this tobacco growing country continued to play a dominate role in the life of the community until the War of 1812. Indeed, despite its absorption into the District of Columbia and the growth of Washington City, the presence of so many natives from the plantation region of lower Maryland in Georgetown gave to it a special Southern-style atmosphere which characterized its social and political climate until the Civil War. The part which Marylanders (and particularly patricians from southern Maryland) played in the commercial, political, and religious life of the town between the end of the Revolution and the beginning of the Civil War is the theme of this essay.

During the period following the American Revolution the port of Georgetown was the major exporting center for tobacco raised in the southern counties of Maryland and the adjacent area of northern Virginia. The growth of the town coincided with the expansion of the European market for the products of the coveted plant which grew so well in the soil of the Chesapeake country. Following a lag in business which occurred during the Revolutionary disturbances, the commerce in tobacco revived in the era succeeding the treaty of peace in 1783. More merchants prospered in the trade, and new firms were established as profits soared in a commerce unimpeded by any direct competition from British factors. In 1791 Thomas Johnson wrote to George Washington that "the best market for tobacco in the state, and perhaps in America" was in Georgetown.¹ While the tobacco trade had its ups and downs during the period between 1783 and 1807, profits from this business continued to furnish the major source of wealth for the town's leading merchants.² A random survey of the tax assessment records for the years from 1800 to 1807 reveal that tobacco merchants like Charles Beatty, William H. Dorsey, John Laird, Frances Lowndes, Robert Peter, and John Templeman were the wealthiest men in the community.³ Tobacco enriched Georgetown during the Federal era.

Largely because of these economic factors, Georgetown replaced Annapolis as

Harold W. Hurst resides in Washington, D.C.

the commercial and social center of the tobacco planting counties north of the Potomac River. Especially between the Revolution and the War of 1812, but even continuing during the antebellum era, the port town in the District of Columbia served as an urban nucleus for the plantation gentry of St. Mary's, Charles, Calvert, Prince George's, and Montgomery Counties. Despite the rapid growth of Washington City after the War of 1812, as well as the influx of northerners and foreign immigrants into both of the District of Columbia communities, Georgetown retained much of its earlier, small-town flavor and remained a haven for the gentry from southern Maryland. Younger sons of the region's tobacco planters sought new careers in the town's flourishing commercial enterprises or in the expanding Federal government. Those who chose the latter option generally preferred to live in Georgetown rather than in the capital city itself. For this community with its brick mansions, closed courtyards, retinues of slaves, and leisured style of existence remained an essentially Southern town providing both a physical and social environment congenial to those born and bred in the plantation districts of Tidewater Maryland. Georgetown was sort of a miniature Charleston in that it was an urban center (however tiny) for the gentry who lived in the counties of southern Maryland.

Some of the original settlers of Georgetown were Scotch merchants who emigrated directly to the area around 1750. Robert Peter, "the pioneer merchant of Georgetown," opened a store on Rock Creek where he acted as an agent for John Glassford and Company, a Scottish tobacco exporting firm. John Laird was another Scotch merchant who figured preeminently in the commercial life of the town during the pre-Revolutionary period. The Dunlops were still another family from Scotland which thrived in the tobacco business during this era. The Dunlops, Lairds, and Peters grew wealthy and intermarried with other families which had lived in the area for several generations. On the eve of the Civil War the descendents of these Scotch immigrants were indistinguishable from other Southern aristocrats who dominated the town's social and political life and were soon to provide officers for the Confederate Army.⁴

Most of the great merchants in post-Revolutionary Georgetown were, however, from families which had lived in St. Mary's, Charles, Calvert, and Prince George's Counties for several generations. Consider, for instance, the eminent Beall family, descended from Colonel Ninian Beall who came from Scotland to Maryland about 1650. The Bealls became large landowners in what is now Prince George's County; in 1752 George Beall surrendered part of his estate (the Rock of Dumbarton area) to provide land for the new port town on the Potomac. Tradition has it that the new place was named "Georgetown" in deference to the original owner of much of the land upon which the town was erected; be that as it may, the Bealls continued to thrive as tobacco merchants in the new community. By 1807 the several members of the family living in Georgetown were owners of property in the place assessed for over \$60,000, a sizeable sum in those days. Lloyd Beall served as mayor of the town between 1798 and 1803. Other members of this distinguished and wealthy family continued to play a prominent role in business, politics, and society throughout the early and middle decades of the nineteenth century.⁵

One of the great tobacco exporting firms in the town during the 1780s and

1790s was that of Forrest, Stoddert, and Murdock. Uriah Forrest, a native of St. Mary's County and a former Revolutionary officer, who lost a leg at the battle of Germantown, established an office in London in 1783. He later opened a branch in Georgetown in partnership with Benjamin Stoddert, a native of Charles County who later became the first Secretary of the Navy, and William Murdock, a former resident of Prince George's County.⁶ These natives of southern Maryland thrived in the Georgetown tobacco commerce; their wealth and power assure us of the fact that the sons of gentlemen planters were able to make good in business as well as agriculture.

Another business firm active in this era was Bowie and Kurtz. The more prominent partner, Colonel Washington Bowie, was an offspring of one of Maryland's most illustrious and prolific families. Then as now, Bowies could be found filling important niches in every branch of the professions and public life. Colonel Bowie, who was named for George Washington, a sponsorer of his baptism, was born in Montgomery County in 1776. During his youth he served as an apprentice in the mercantile firm of William Deakin where he learned the ropes of the tobacco exporting business. Later he entered into partnership with John Kurtz; this enterprise became widely known in London, Amsterdam, Hamburg, Bremen, Cadiz, Gibraltar, and the West Indies. Colonel Bowie amassed a sizeable fortune and erected a magnificent mansion on the heights of Georgetown which is still standing today.⁷ Owning property in Georgetown evaluated for over \$33,000 in 1818, he was the fourth highest assessed resident in the community.⁸

The Lowndes were another Montgomery County family which figured prominently in the commercial life of early Georgetown. Francis Lowndes, the son of Christopher Lowndes a wealthy merchant of Bladensburg, owned many large tobacco warehouses in Georgetown during the 1790s and early 1800s. As rich and successful as his father, Francis was able to purchase the elegant mansion Tudor Place, the showpiece of Georgetown. His daughter, Rebecca, married Benjamin Stoddert (America's first Secretary of the Navy) who owned Halcyon House, another sumptuous residence erected during the Federal era and still standing today.⁹

The Magruder family furnished Georgetown with many prominent merchants and professional men during both the eighteenth and nineteenth centuries. Descended from Alexander Magruder who arrived in Calvert County about 1652, the family owned several large estates in southern Maryland. Magruders were involved in Georgetown trading activities as early as 1790 when William Magruder advertised rum, port, cotton goods, and pickled pork for sale in the local newspaper. Dr. Hezekiah Magruder was a leading physician in the community during the antebellum period, while James A. Magruder was active on the Board of Aldermen and served as collector of the port. The Magruders married into the Addison, Beall, Berry, Clagett and other prestigious families identified with both Georgetown and rural southern Maryland.¹⁰

The Mackalls had been wealthy tobacco planters in Calvert County for over a century before Georgetown came into existence in the 1750s. The progeny of James Mackall who had owned over thirty thousand acres of land in Calvert County in the latter part of the seventeenth century, the early Georgetown

Mackalls were active in establishing the local Episcopal church and provided the town with a number of eminent physicians. The brothers Benjamin and Leonard Mackall, whose father owned large estates in Prince George's County, both married daughters of Brooke Beall, wealthy merchant and descendent of George Beall, original owner of much of the land upon which the town was built. Louis Mackall, the son of Benjamin, was a physician of high rank in the town on the eve of the Civil War.¹¹

Two of the town's most prestigious families originated in Anne Arundel County. Dr. Charles Worthington, eminent physician and a member of the vestry of St. John's Church in the early 1800s, came to Georgetown from Sumner Hill in Anne Arundel County in 1783. Dr. Worthington, who dressed in the old style and wore knee breeches, long stockings, shoe buckles, and queued hair, came from stock which was related to practically every prominent family on both the eastern and western shore of Maryland. The Marburys were another family with roots in Anne Arundel County. William Marbury came from Annapolis to Georgetown around 1800 and engaged in the law profession being later appointed to the office of justice of the peace. His latter appointment resulted in the famous Marbury v. Madison case which established the basic principle of judicial review. William's son, John Marbury, was also a prominent lawyer who served on the Board of Aldermen and the vestry of Christ Church. The Marburys, like the Bealls, Magruders, Mackalls and other old Georgetown families of southern Maryland origin, were ardently pro-Southern in their sympathy during the Civil War.¹²

While many of the early Georgetown families of Maryland background owed their wealth to the production and exporting of tobacco, a few local sons of the Bay State grew rich from trading in groceries and dry goods. During the early years of the nineteenth century groceries were brought in sailing packets from New York and Philadelphia. These goods were deposited in warehouses which lined Water (now K) Street before being sold to retailers in Georgetown, Washington City, and nearby rural areas. After 1835, when the Baltimore and Ohio Railroad connections between the capital and Baltimore were completed, this business suffered sharp setbacks because retailers began buying directly from wholesale firms in Baltimore and New York. But between 1815 and 1835 drygoods, groceries, and hardware items accounted for about four-fifths of all goods received at the Georgetown customhouse.¹³

The Smith brothers gained much of their wealth in the grocery and dry goods trade. Walter and Clement Smith were the sons of Dr. Walter Smith, a surgeon who served in the Revolutionary army. The family traced its American origins back to 1649 when Richard Smith arrived in Calvert County. The Smith brothers, who owned a large fleet of ships including the *Elizabeth Sturgis*, *Francis Depau*, *Maria*, *Panopea*, *Shenandoah*, *Ulysses*, and *Volunteer*, and others, were in the dry goods and grocery business as early as 1807. Clement Smith served as the President of the local Farmers and Mechanics Bank. During the 1830s, when commercial activities were at a low ebb in Georgetown and many other merchants had suffered setbacks because of the decline in the tobacco trade, the Smith brothers were among the wealthiest men in the community.¹⁴

Edward Magruder Linthicum, antebellum Georgetown's most famed philan-

thropist, accumulated much of his wealth in the hardware business. Born in Montgomery County in 1797, he sprang from a family which had lived in that section since the early 1700s. His mother, Priscilla Magruder, was of the noted family of that name. E. M. Linthicum entered the business at an early age; later he opened a large store of his own near the corner of what is now M Street and Wisconsin Avenue. By the late 1830s Linthicum was one of the more prosperous businessmen in Georgetown, owning real and personal property totaling \$19,600. In 1846 he bought The Oaks, one of the large mansions located on Georgetown Heights. E. M. Linthicum died in 1869, leaving a part of his fortune for the purpose of establishing an institute in Georgetown "for the education of free white boys." The building erected by the institution now serves as the parish hall for Christ Church. Otho M. Linthicum, Edward's brother, was also prominent in Georgetown commercial circles, as he was proprietor of a large drug firm. Both of the Linthicum brothers served on the town council during the 1840s and 1850s.¹⁵

As the tobacco trade slowly declined in the generation following the War of 1812, the flour business moved to the forefront as the leading commercial activity in Georgetown. The accessibility of the town to the wheat growing regions of western Maryland and northern Virginia, the existence of excellent port and warehouse facilities, and the plentitude of water power provided by the Potomac River and the Chesapeake and Ohio Canal made the place an ideal center for the trading and milling of flour. Between the 1830s and the latter part of the century, flour was the chief business of Georgetown.¹⁶

Many of the leading merchants and millers in the flour business were men of northern or foreign origin. Thomas Corcoran, whose son William Wilson later became famous as a financier and philanthropist, got his start in Georgetown by opening a shoe business. Later in his career, however, he acquired additional wealth in the flour business. Thomas Corcoran was born in Ireland and came to Georgetown about 1798.¹⁷ Francis Dodge, Jr., a native of Massachusetts, enriched himself in the early 1800s by participation in the town's lucrative dry goods importing trade; later both he and his sons augmented the family wealth by their involvement in the flour milling and exporting business.¹⁸ George Shoemaker, who for many years before his death in 1865 was the town's flour inspector, was born in Pennsylvania.¹⁹

One son of Maryland, however, did well for himself in the flour business. John Davidson, who was born into a prominent family in Anne Arundel County, came to Georgetown about 1814 and became a partner in the dry goods firm of Francis Dodge, Sr. Later he acquired a flour mill which was to bring him considerable wealth, for in 1858 he owned property in Georgetown assessed for \$21,213, much of it consisting of wharves and warehouses. John Davidson was also a director of the Farmers and Mechanics Bank and a vestryman of Christ Church.²⁰

Next to the flour milling and its exporting business, the lumber trade was probably the most important commercial activity in Georgetown during the early and middle decades of the nineteenth century. Three families owned most of the lumber yards in antebellum Georgetown, and two of these were of old Maryland stock. John Pickrell, who was born in Montgomery County in 1783, established a lumber firm in Washington City as early as 1807. In 1818 he

appeared on the tax assessment list of Georgetown; his local property was evaluated at \$13,950. His wife, Ann, who was the daughter of a Montgomery County tobacco planter, was left with a sizeable estate when Pickrell died, for the tax lists in 1858 revealed that the widow owned the third highest assessed estate in Georgetown, evaluated for \$41,915. Much of her property consisted of lumber yards located on Water (now K) Street.²¹ The Wheatleys were another family of Maryland origin which thrived in the local lumber business. Francis Wheatley, a native of Charles County, established a lumber firm in Georgetown about 1845. The business flourished, and when it passed to his four sons in 1866 its activities occupied four acres on the town's waterfront.²² Georgetown's lumber merchants, like the flour millers, shipped most of their produce by canal or railroad to Washington City or the adjacent counties in Maryland or Virginia. In sharp contrast to the commercial situation before the War of 1812, the market for many of Georgetown's leading businessmen during the antebellum era was regional rather than national or world-wide in scope.²³

During the 1840s and 1850s some families of Maryland origin still owned retail and wholesale establishments which sold dry goods, clothing, drugs, hardware, groceries, and "fancy staples" in a market largely local or regional in character. William and Hillary Offut both owned large firms of this type during the 1850s. The Offuts came from a family which had been active in the affairs of Montgomery County for several generations.²⁴ The Smoot family prospered in commercial activities in both Georgetown and Alexandria during the antebellum years. John Henry Smoot owned a large dry goods business in Georgetown and maintained a residence on N Street which was later occupied by Newton Baker, a member of Woodrow Wilson's cabinet. Two other Smoots are listed as merchants in the 1850 census. The Smoot family traced its origins to William Smoot (or Smute) who first came to St. Mary's County in 1647.²⁵ A number of Semmes also did well in both business and the professions during this period. The Semmes were of an old Catholic family which had figured prominently in the affairs of St. Mary's and Charles Counties since the 1600s.²⁶ Still other Marylanders who did well in Georgetown's commercial arena before the Civil War were: Philip T. Berry, who opened a "wholesale grocer, flour, and commission store" in 1845, and was assessed for \$54,775 in 1858; A. L. Kidwell, a druggist; William S. Nichols, a broker; George Waters, a commission merchant; and Peter Von Essen, the proprietor of a hotel and livery stable.²⁷

By mid-century the professions had become the special preserve of the Maryland gentry. Often college educated and usually the recipients of inherited wealth, the sons of the older families of Maryland origin in Georgetown were even more connected with medicine, law, or government work than with the activities of the bourgeois business world. A survey of the 1850 federal population discloses that ten out of the fifteen doctors living in Georgetown were natives of Maryland, and three of the other five who were born in the District of Columbia came from families with a Maryland background. Most of the judges and lawyers listed in the same census were born in Maryland or were the sons of Marylanders.²⁸ Government employment was considered a reputable vocation for Southern gentlemen at this time, and a surprising number of Maryland born men living in the town worked for the auditor's office or some other department of the Federal government.

Several of Georgetown's leading physicians came from some of Maryland's most notable families. For example, Dr. Grafton Tyler, who was the family doctor for many of the prominent Southerners living in the community, stemmed from illustrious ancestors who had long peopled Prince George's County. His wife was Mary Margaret Bowie of Locust Grove in the same county.²⁹ Dr. Joshua Riley, a native of Baltimore, was another local doctor of outstanding repute. The Mackalls provided Georgetown with a number of practitioners of the medical profession, the most notable of whom was Louis Mackall who owned a charming red brick house which still graces Georgetown heights on 29th Street.³⁰ Dr. Hezekiah Magruder, of the prestigious family of the same name, also practiced medicine in Georgetown on the eve of the Civil War.³¹ Unlike most of the other gentlemen of old Maryland families, Hezekiah Magruder was an ardent Union man during these crisis years.

Some of Georgetown's most illustrious citizens in the early years of the nineteenth century were lawyers and judges from established Maryland families. Philip Barton Key, a native of Anne Arundel County, practiced law in Georgetown until his death in 1817. His nephew, the famous Francis Scott Key, the author of the National Anthem, was a District Attorney during his residence in the town. His eleven children were born in a house located near where the Key bridge now connects with M Street. The Keys were related to the Forrests, Platers, Sewalls, and other prominent families of Maryland.³² The ubiquitous Marburys were probably the best known family of lawyers in antebellum Georgetown. William Marbury, a native of Anne Arundel County, practiced law during the early 1800s and later served as President of the Farmers and Mechanics Bank. His son John, also an attorney, had a family of thirteen children all of whom were born in Georgetown. The Marburys were staunch supporters of the southern cause during the War between the States.³³ James Morsell, Judge of the Circuit Court for many years, stemmed from an old Huguenot family which had settled in Calvert County about 1672. He was 83 years old in 1860 and owned property in Georgetown, according to the 1860 census, which was evaluated at \$65,000.³⁴

During the period between the War of 1812 and the beginning of the Civil War many of the gentry from southern Maryland who had made their residence in Georgetown worked for the Federal government in Washington City. According to Mary Mitchell in *Divided Town* about seventy clerks of Maryland origin lived in Georgetown in 1860.³⁵ Probably the most noted of these gentlemen was Henry Cooksley Matthews who was born in Charles County in 1799 and died in Georgetown in 1862. Descended from an old Catholic family which had settled in St. Mary's County around 1638, Henry C. Matthews was an offspring of a branch of the clan which had converted to the Anglican Church. Coming to Georgetown about 1820, he was employed as a clerk in the Third Auditor's Office and also served for many years as a Collector of Customs for Georgetown. Owner of a considerable amount of land in southern Maryland, he was also the proprietor of a sizeable estate in Georgetown.³⁶ Members of the Addison, Chapman, Clements, Gordon, Lowndes, Ridgley, Taylor, and other old families of southern Maryland origin are also listed in the 1850 census as serving in the auditor's office or other departments of the Federal government.³⁷

Maryland-born gentlemen also played an important role in local politics. Under

the provisions of the town charter which was revoked in 1871 when Georgetown lost its independence and was annexed to Washington City, the town elected a mayor, a board of aldermen, and a common council. During the early years prominent merchants generally filled the mayor's office. Some of these men, like Robert Peter who was the first mayor to be appointed after the town was incorporated in 1789, had come to the area during the 1750s to engage in the tobacco trade. Still others, like Thomas Corcoran and Henry Foxall, were immigrants who arrived around 1800 and later prospered in a wide variety of commercial and manufacturing activities. Two Maryland gentlemen sat in the mayor's chair during the antebellum era, however. Between 1822 and 1845 Colonel John Cox, a prominent landowner and wealthy merchant, was mayor of Georgetown. Colonel Cox was a native of Baltimore.³⁸

Between 1845 and 1857 and again from 1859 until 1867 Henry Addison served as the mayor of Georgetown. Addison came from a family which had lived in Maryland since 1667 when Colonel John Addison came from England to live in Charles County. Mayor Addison was the son of Henry Addison and Elizabeth Clagett who was herself the offspring of a prominent southern Maryland family. Young Henry apparently entered the clothing business at a youthful age, for as early as 1829 local newspapers carried advertisements of British, French, and German goods sold in his store. A busy merchant as well as a politician, Mayor Addison had the thankless task of maintaining order and a reasonable degree of harmony in a strife-ridden and divided community during the Civil War years.³⁹

Before 1850 prominent merchants and lawyers from families which had lived in the District of Columbia for more than one generation shared seats on the Board of Aldermen and the Common Council with gentlemen of southern Maryland lineage who had moved to Washington seeking careers in business or government.⁴⁰ By the 1850s, however, the composition of the local legislature began to reflect the changes occurring in the social fabric of the community at large. In 1852, for instance, two of the five aldermen elected were men of Northern birth while the eleven member Common Council included at least three Yankee businessmen and one merchant of British origin.⁴¹ In 1858 the mayor, the commissioner of the sinking fund, and the president of the Common Council were all northerners.⁴² Nevertheless, the old-line gentry did not altogether desert the local political arena. In 1860 the Board of Aldermen included such eminent locals of southern Maryland ancestry as James A. Magruder, Dr. Joshua Riley, and George Wheatley.⁴³ During the late antebellum era the Maryland-born citizens still maintained a foothold in Georgetown politics as they did in the commercial arena, but their predominance was being increasingly challenged by men from the North who were prospering in local business activities.

Most of the early Georgetown leaders were Federalist in their political leanings. During the antebellum era the town was a Whig stronghold; in the 1840s and the 1850s the *Georgetown Advocate* acted as both the voice of the party and the defender of the commercial interests of the community. To a large degree the political sentiments of many Georgetowners could be traced to their origins in southern Maryland. This region had been a stronghold of first Federalism

and then Whiggery. In the period between 1836 and 1848, for example, St. Mary's, Charles, and Calvert Counties cast on the average between 57 and 67 per cent of their votes in the congressional elections for Whig candidates.⁴⁴

In 1860 Georgetown political sentiment leaned towards the conservative and unionist side as neither the Radical Republicans nor the fire-eating secessionists had many followers. A mass unionist rally presided over by James A. Magruder was held at Forrest Hall on January 31, 1861. A resolution supporting the Crittenden Resolution was adopted while another one passed upon stated that "Revolutions should never be attempted until all peaceful remedies are exhausted."⁴⁵ Once the Federal troops had occupied the city, however, many citizens found it difficult to hide their true feelings. Ardent Southerners closed their homes and went to live with relatives in Dixie, while some Northerners, like Riley A. Shinn who owned a local bottling plant over which he flew the Stars and Stripes, did a thriving business with the Union army.⁴⁶ Throughout the war, however, most of the inhabitants of Georgetown (which was occupied by Federal troops) retained an outwardly neutralist pose that in reality masked feelings which were essentially pro-Confederate. The residents of the older and more genteel neighborhoods in the community were as Southern in their sympathies as were the people in the counties of lower Maryland, the area from which they or their parents had originally migrated.

But it was in the two Episcopal churches, more than in any other area of activity, that the scions of the old families from southern Maryland exercised their greatest influence. While merchants of Scotch, German, or New England origins founded the local Presbyterian church in the 1780s, and Henry Foxall, the wealthy manufacturer of cannon and ammunition, contributed generously to the struggling Methodist congregation, it was the gentlemen from Maryland and Virginia who organized St. John's Church in the 1790s and later established Christ Church in 1817. The roots of the Episcopal Church in Georgetown, like that of the Federalist and Whig parties, found their source in the tobacco growing plantation counties of southern Maryland.

In August of 1796 one hundred and twelve persons signed a subscription list pledging their financial support for constructing an Episcopal church in Georgetown. The building was not completed until 1804 when the congregation called its first rector into service. Six of the eight men on the first vestry were natives of southern Maryland. In 1817 the vestry included such noted gentlemen from the counties of Tidewater Maryland as Colonel Washington Bowie, Francis Scott Key, Clement Smith, and Dr. Charles Worthington. During the early 1800s St. John's Church was thronged on Sunday mornings with persons of wealth and high social standing. By 1831, however, the congregation fell upon hard times and services were discontinued because the payment of pew rents fell in arrears. When the church reopened in 1838 members of the Lowndes, Magruder, Ridgely, Steuart, and Worthington families were again serving on the vestry.⁴⁷

But it was Christ Church which became the real bastion of the Southern gentry in Georgetown. Organized in 1817, ten of the eleven founders were natives of southern Maryland, and the congregation remained for many years the almost exclusive preserve of the Maryland born patriciate. Such representatives of this class as Philip T. Berry, John Davidson, John Marbury, Henry C. Matthews,

Dr. Hezekiah Miller, Judge James Morsell, and Dr. Grafton Tyler served on the vestry during the 1840s and 1850s.⁴⁸ Probably the most active member of Christ Church during the pre-Civil War years was Henry C. Matthews, descendant of an illustrious Charles County family. He conducted the choir, overlooked and funded extensive repairs to the church, and was instrumental in installing a new organ in 1852.⁴⁹ In 1861 the pro-southern rector of Christ Church resigned and left for the Confederacy, leaving the beleaguered congregation without a spiritual advisor until 1864 when a young pastor from Iowa was appointed to the post.⁵⁰

Between the War of 1812 and the beginning of the Civil War a variety of changes altered the economy and modified the social atmosphere of the old town on the Potomac. The rapid expansion of Washington City increasingly diminished the importance of Georgetown which was once larger than the capital city and had served as the hub of southern Maryland. The arrival of many Northern merchants after the War of 1812 and the influx of Irish and German immigrants after 1840 weakened the power of the older, established families. Yet upon the eve of the action at Fort Sumter Georgetown was still an essentially Southern community, containing a sizeable cluster of people whose manners, customs, and attitudes had been shaped in the social environment of the tobacco growing counties of lower Maryland, the place of their birth and the habitation of their fathers.

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Personal Indebtedness and the American Revolution in Maryland

TOMMY R. THOMPSON

THE BELIEF THAT ECONOMIC FORCES PLAYED SOME ROLE IN THE COMMENCEMENT of hostilities between England and the southern colonies in 1776 is certainly not new. Such a theory developed in the immediate post-Revolutionary era, especially in accounts of the rebellion by the loyalists Joseph Galloway and Jonathan Boucher.¹ Simultaneously, Federalist political leaders, in a frustrated reaction to Jeffersonian opposition to their programs, seized upon the same theme and concluded that "It is a firmly established opinion of men well versed in the history of our revolution, that the *whiggism* of Virginia was chiefly owing to the *debts of the planters*."² It was not until the Progressive Era, though, that historians adopted this interpretation as an alternative to the Whig explanation of the American Revolution. The latter, which had been in vogue throughout the nineteenth century, declared that ideas, particularly colonial concern over constitutional principles, motivated the Americans to rebel. According to the Progressive historians, these ideas were only masks, contrived propaganda, used by the colonists to obscure underlying interests that actually determined colonial actions. However, the Progressive case was not conclusive. Weakened by the use of research which was much too superficial, the economic school would succumb once again to ideas.³

By the 1950s and 1960s the neo-Whig historians were in command. They, like their predecessors of the nineteenth century, contended that the colonists revolted because of a genuine dedication to and concern over constitutional principles. Few of these historians were willing to consider social and economic issues. Basically, they saw history as the result of a rational calculation of ends and means. In other words, the Revolutionaries were conscious of what they wanted (protection of rights) and planned the rebellion as a means of assuring them their objective.⁴

The neo-Whigs would not go unchallenged. In fact, the economic school had never really lost its vitality. Calvin B. Coulter, in one of the more scholarly post-Progressive examinations of pre-Revolutionary Virginia, presented ideas which would become basic themes in the challenge of neo-Whiggism by the current socio-economic historians. Coulter, writing in the 1940s, saw the eighteenth century in terms of alternating periods of prosperity and depression, with Virginians accumulating larger and larger debts because of the vast expansion of credit by British merchants. Eventually, the financially troubled planters

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responded politically to their difficulties by seeking relief in the Two Penny Laws of the fifties and by tearing down prisons in the sixties.⁵

Similar studies followed Coulter's. Richard Sheridan examined the credit system which existed between British merchants and colonial planters and the impact of the British financial crisis of 1772 on that system. He concluded that the crisis, with its contraction of credit, helped "focus the discontent of the colonists" on the British between 1772 and 1776.⁶ In his study of Maryland society, Ronald Hoffman found the same forces at work. There, planters responded to the economic characteristics of the era (use of British credit, heavy planter indebtedness, financial crisis) by reacting politically through the Assembly to such issues as Proprietary rights.⁷ But Marc Egnal and Joseph Ernst stated the argument most succinctly—Scottish merchants supplied credit to the Chesapeake planters, financial crises caused restriction of credit, and the resulting economic strains "fast became an inseparable part of the struggle against the new British postwar policies."⁸

Thus, the historians of the socio-economic school have reinstated the role of underlying forces over ideas in explaining the commencement of the Revolution in the Chesapeake colonies, and they have done so in a manner far more sophisticated than their Progressive predecessors. As a result, few historians today would deny the existence or viability of these forces to some degree. However, it is questionable whether the socio-economic interpretation should be regarded as final. Evidence indicates that some conclusions reached by the socio-economic historians may be unjustified. Also, their approach seems too simplified and narrow. To contend that individuals responded to what they saw as a "threat" to their constitutional liberties solely because of a subconscious reaction to the economic system in which they operated seems an unwarranted acceptance of the behaviorists' concept of man. Therefore, this paper will re-examine the credit system as it operated in Maryland prior to the Revolution in an attempt to determine the extent of its impact on that colony and its residents.

One vital aspect of the Maryland tobacco trade was the relationship between British merchants and Maryland planters. In search of profits, the merchants continually tried to attract more customers by encouraging planters either to send their tobacco to specific firms in Britain for sale or to deal with local stores owned by the merchants. Throughout the decade preceding the Revolution, British merchants attempted to build their Maryland trade by developing friendships in the colony. In the consignment trade, for example, they promised to give close attention to the sale of a planter's tobacco and to the purchasing of British goods desired by the planter. In 1766 Capel and Osgood Hanbury of London informed a Maryland customer of "a fine new ship, which we have charter'd to accommodate our Friends with, that Their Tobacco may get safe home and to an early Market." If this customer had any tobacco to consign to the Hanburys, they declared they would be "very glad" to receive it and would take "the greatest care in the sale."⁹ The same firm expressed similar sentiments in a letter to James Brooke of Potomack, Maryland in 1767. The Hanburys notified Brooke that they had received and sold two hogsheads tobacco for him. The Hanburys assured Brooke that in carrying out this transaction "we spar'd no paines."¹⁰ The British merchants were quite anxious to do whatever they could to please since dissatisfied customers were likely to switch firms.¹¹

Whether British merchants conducted business directly with Maryland planters by purchasing their tobacco on consignment or through stores located in Maryland and run by agents, or factors as they were known, the planters generally tended to be small purchasers of British manufactured goods. The account books of William Molleson, a London merchant, shows that in the consignment end of his business Marylanders from Anne Arundel, Baltimore, Frederick, Prince George's, and Talbot counties owed debts averaging just under L15 sterling.¹² The situation was similar at the stores he maintained in Maryland. At Molleson's Bladensburg, George-Town and Pig Point stores his customers owed average debts of L8, L6 and L8 sterling, respectively.¹³

In some cases Maryland planters did trade with more than one store, a situation which would produce a larger personal indebtedness. An examination of approximately fourteen hundred probate records in six Maryland counties for the years 1765 through 1775 reveals, though, that most of the deceased were indebted to only one merchant.¹⁴ Although at least one-fifth of the planters were indebted to more than one merchant, there were just twenty-five cases where the deceased owed debts to three or more merchants. This narrow trading pattern again indicates Maryland planters generally did not amass extensive debts.¹⁵

British merchants also dealt directly with Maryland merchants. Here, the economic picture differed from that presented in relation to the British merchants and Maryland planters. Since Maryland merchants purchased whole cargoes of goods to sell in the colony, their purchases were much larger than those made by the planters. Although the British creditors wanted payment for these cargoes within twelve months, it was not unusual for a Maryland merchant to take years to clear up a debt. An additional complication occurred when the indigenous merchant dealt with more than one British supplier. The correspondence of Samuel Galloway, a merchant in Anne Arundel County, shows that in 1763 he owed L1097 to Silvanus Grove of London for goods.¹⁶ In the following year he also acquired a debt of L734 with Thomas Philpot of London.¹⁷ The activities of Charles Ridgely, a Baltimore merchant, further illustrate this point. In 1765 he purchased goods from James Russell and Molleson of London worth L1550.¹⁸ By early 1767 the firm was complaining that "the Cr. now is two years."¹⁹ Ridgely's debt did not stop him from purchasing additional goods from John Buchanan of London valued at L1756.²⁰ Ridgely's exploits continued in a similar vein for several years. In late 1770 William Molleson, who was no longer in partnership with James Russell, sent goods to Ridgely worth L2909.²¹ This time it was Molleson's turn to complain. In 1772 he wrote of the "dissappointment" he had experienced in not receiving payment for the debt Ridgely owed.²² This episode of Ridgely's financial dealings would be incomplete without mentioning that in late 1773 James Russell was still trying to collect the balance of Ridgely's debts from the sixties.²³ Obviously, the relationship between British creditors and indigenous Maryland merchants was long, large, and, therefore, at times precarious.²⁴

When Maryland merchants purchased goods from British merchants and sold these goods to Maryland planters, they added a third important sector to Maryland economic life by creating an indirect credit relationship. The local Maryland resident owed his debt directly to a Maryland merchant, but indirectly

D^r Cha^s Ridgely. Acc^t. Sale of One

			<i>To Sundry Charges</i>		1	1	4
			<i>Brought at L. 100</i>		1	17	6
			<i>Country Duties</i>				3
			<i>Port Charges</i>				2
			<i>To Custom & Duties</i>				8
			<i>Old Subs of 750</i>		2	8	9
			<i>All other Duties at 7 1/2 p 100</i>		20	5	2
			<i>Entry into Landward</i>				1
			<i>Entry out Seaward</i>				2
			<i>Weight, Shipping Wharf & Light</i>				1
			<i>Coage in and out of Port</i>				3
			<i>Brokerage</i>				2
			<i>Warehouse Rent</i>				1
			<i>Balance of L. 100</i>				3
			<i>To Commission</i>				11
			<i>To Curr. for 100</i>				5
			<i>To Curr. for 100</i>				15
			<i>London Dec 1764</i>				8
							19
							8

Even Excepted
Josiah [Signature]

From Charles Ridgely's Ledger, 1764.

to a British merchant, the original source of credit. The store records of a Baltimore merchant, Mark Alexander, help show how this aspect of the system worked. After Alexander purchased goods from abroad, he sold them at his store. Alexander's account book covering the period June 1, 1756 through December 31, 1759 shows that during those three and a half years he sold goods worth almost L7500 to 412 individuals.²⁵ This process, of course, was simply an indirect diffusion of credit, and means that the credit obligation of Maryland planters to British creditors was somewhat larger than previously indicated in this paper.

As long as Marylanders paid their debts promptly, their relationship with British merchants was good. Unfortunately, many Maryland planters occasionally experienced short crops, and, as has been shown, Maryland merchants tended to extend their larger debts over a number of years. The failure to pay one's debts completely altered the mood between British merchants and Maryland debtors. Now, instead of continuous solicitations for one's future business, the creditor began to press the debtor to make good for past obligations.

In the decade before the Revolution British creditors continually sought to collect outstanding debts. To secure these debts the creditors, or individuals who collected them, used several methods. Typically, a collector started by placing advertisements in the newspapers reminding debtors of their obligations. Basically, these newspaper appeals followed a similar theme—come forward and pay or face the consequences. In 1766, John Ashburner, Attorney-in-Fact for

James Gildard of Liverpool, used this approach when he called upon the latter's debtors through the *Maryland Gazette* "to come and settle their Accounts with the Subscriber, at his store in *Baltimore-Town*, he being duly authorized to receive the same; those who refuse to comply, may depend on having Actions against them."²⁶ The hint was gentle but explicit; the debtors would have their day in court if they did not make good their obligations.

Often, the first appeal for payment of debts owed produced no response. In 1765, Thomas Campbell, attorney for Shortridge, Gordon and Company, gave notice that debtors of the firm "are once more earnestly requested to take Measures for speedily discharging, or otherwise settling, their respective Balances." Putting his warning as tactfully as possible, Campbell said such action on 'the debtors' part was necessary "in order to prevent the disagreeable consequences of Orders lately received from the said Company."²⁷ Eventually some of the companies' representatives lost all patience. In 1774 collectors for John Buchanan of London declared that since "very little regard has been shown to their former advertisements . . . all persons indebted . . . and who shall neglect to pay what they owe, or to settle . . . will immediately thereafter be sued."²⁸ Still, these warnings, whether first or last, were not always of a harsh, unfeeling nature. A collector of John Glassford of Glasgow gave notice in 1765 that all debtors "who come to settle, and cannot pay off this Year, will be indulged with Time, on giving Security if required."²⁹ The British merchants and their factors and attorneys knew the role credit played in the tobacco society of Maryland, and they were willing to give "indulgence" to the debtors if only the debtors showed a willingness to accept responsibility for their obligations.

Sometimes British creditors dealt in a more personable manner with their Maryland debtors. In some cases the merchants corresponded directly with the debtors. This procedure probably involved only the more important debtors, such as large tobacco exporters and merchants. In 1765 Thomas Philpot of London sent a note to Samuel Galloway "just to hand your Accot. Currt. Ballence due to me L227.15.9 & shall be obliged to you to remit me for the Sume the first opportunity."³⁰ For most Marylanders an agent in the colony delivered the message from a British creditor requesting payment of debts. Silvanus Grove of London wrote in 1764 to Samuel Galloway, who was an agent for Grove in addition to being one of Grove's debtors, that he should contact Grove's debtors and ask them to pay their debts. Grove advised Galloway that the best procedure was simply to show the accounts to the debtors and to remind them that they might be sued if they did not pay. At that time Grove did not feel lawsuits would be necessary in most cases.³¹ Evidently lawsuits were necessary. In August, 1766 Galloway wrote to Grove that he was "determined to bring actions against all your debtors that will not pay to ye next Court which will be in Nov."³² Grove approved of Galloway's decision.³³ Apparently Galloway had little luck with the debtors. He notified Grove in December that he was going to bring suit against "many more" debtors.³⁴

Occasionally, British merchants singled out certain debtors and emphasized the need for extraordinary action to collect their debts. Early in 1765 Silvanus Grove wrote to Samuel Galloway and ordered the latter to start a lawsuit immediately against one Henry Ridgely, a Maryland merchant. Grove was

particularly upset because Ridgely, who had previously purchased cargoes from Grove, had decided now to buy his goods from John Buchanan. Thus, Grove wanted Galloway to sue Ridgely for the sum the latter owed Grove—L1664.18.6. Grove requested of Galloway that “you will not lose an hour in securing this debt for me.”³⁵ Galloway did take Ridgely to court, but he apparently used this action just to scare Ridgely and persuade him it would be wiser to settle out of court.³⁶ By April, 1768 Ridgely had signed a bond for the sum of L1941 which was the original sum plus interest. Galloway reported that he was sure Grove would approve of what he had done since “the debt is now reduced to a certainty,”³⁷ But within a year the certainty disappeared when Ridgely refused to pay on his bond. Therefore, Galloway went to court again and obtained a judgment against him.³⁸ Finally, by mid-1770 Galloway sent Bills of Exchange to Grove to cover Ridgely’s debt, which the latter paid in full.³⁹

Those Maryland planters who dealt only with indigenous merchants and thus avoided direct contact with British creditors still were subject indirectly to the latter’s demands for payment of debts. In May, 1765, for example, Thomas Philpot wrote to Samuel Galloway to congratulate the latter on the sale of a ship and to request him “to remit me the Ballance of your accot. this year if convenient to you.”⁴⁰ In turn, Galloway wrote to his own debtors with requests for payment of debts due. In September, 1765, J. Porter of Chester Town asked Galloway for a delay “for my Circumstances is Such that it will not be in my Power to pay you.” Porter concluded his letter to Galloway with the plea that “you will Consider a man with a Pore wife and family.”⁴¹ The correspondence of John Galloway, the son of Samuel and also a merchant, reveals a similar situation. John wrote in August, 1774, to his principal creditor, James Russell of London, with an apology for not paying his debt. He assured Russell he would have paid if only his own two principal debtors had not failed to pay their debts.⁴²

Indigenous merchants also used the newspapers to call upon their debtors to honor their obligations. One of these merchants called for his debtors to come and “at least pay the Interest on the Obligations that have been standing some Years.”⁴³ It is unlikely debtors paid indigenous creditors any more promptly than those of England and Scotland. To obtain payment of debts, Maryland creditors included the threat of court action in their advertisements for those who did not heed their warnings. One creditor who chose to relay this threat less directly, although with the same intent, warned his debtors to “make speedy Payment, or they may expect Trouble.”⁴⁴ At times Maryland creditors also reached the point of desperation. One Henry Gassaway, who was both a creditor and a debtor, declared in 1769 to the public that “by Experience” he had found that “neither by Law, or Equity,” could he recover his debts. Therefore, since his own creditors were taking him to court, he had decided to petition the General Assembly to pass an act to release him “from the Sheriff of *Baltimore* County, whose Custody I am now in.”⁴⁵ One of the most informative advertisements occurred in the *Maryland Gazette* in 1774 when one John Boyd called upon his debtors “please to consider how impossible it is to carry on any trade with spirit and success without regular and punctual remittances.”⁴⁶ Unless Maryland planters paid what they owed to indigenous merchants, the latter could not secure their credit from British merchants.

The most important means by which creditors could pressure debtors was court action. This was the one real procedure by which a creditor could literally destroy a debtor. Threats against the debtor meant little unless the creditor resorted to legal action. Once the creditor took this route he had legal machinery to enforce the collection of a debt. If necessary, after the creditor won his case in court, he could seize the debtor's property to make good the debt, or send the debtor to prison if the latter did not have sufficient property to cover the debt. As the court records indicate, creditors were not hesitant in using this means to secure their debts.

Whenever a creditor commenced legal action against a debtor in colonial Maryland, the case went to either one of the County Courts or to the Provincial Court, depending on the size of the debt. A law of 1714 provided, for example, that the County Courts would handle all cases not exceeding L20 sterling or 5000 pounds tobacco. Suits involving larger sums were to go to Provincial Court.⁴⁷

The County Courts, which were kept busy by debt cases, were the primary courts of colonial Marylanders. It was to this court that Maryland citizens turned to enforce economic agreements among themselves. Approximately one-third of the debt cases prosecuted in the County Court involved creditors who brought only one case in the decade before the Revolution, according to the records. These debts were of a more private nature, often between neighbors and/or relatives, and might involve unpaid rent for a house or plantation, unpaid wages, or simply money loaned.⁴⁸ Beyond these cases the County Court was the vehicle by which Maryland merchants, tradesmen, innkeepers, physicians, wealthy planters, and other businessmen obtained judgments against debtors who failed to pay for goods, services rendered, or money loaned. These creditors appeared often in the County Court. In Prince George's County Court during the decade preceding the Revolution, for example, the most common occupation for those individuals who prosecuted three or more cases was "merchant."⁴⁹

Many times right alongside the Maryland businessman in the County Court was the British merchant also suing for unpaid debts. Alexander Hamilton, factor for James Brown and Company of Glasgow, regarded the court system as imperative in the business world of Maryland. He notified the home company in February, 1774, that he would pressure the company's "Debtors immediately & sue them if they do not pay." "I find," said Hamilton, "that a payment will not be obtained without suits & it does not suit you to wait for your debts."⁵⁰

British merchants did not involve themselves as actively in some counties as in others. In Somerset County on the Eastern Shore, where tobacco production was declining in favor of lumber products, their activity was almost negligible. Contrasting to this situation was that of Frederick and Prince George's counties in the tobacco producing Potomac River Valley. There, British merchants prosecuted as many as 50 percent of the cases beyond those prosecuted by a creditor who brought only one case in the ten years preceding the Revolution.

Debt cases in the County Court often tended to reflect the economic and political situation in Maryland. In Prince George's and Somerset Counties Maryland creditors (those who prosecuted more than one case) prosecuted quite heavily before and after the Stamp Act crisis. The large number of cases before November, 1765, indicates Marylanders' believed the courts would close. The

large number of cases in 1766 simply reflects the reopening of the courts. By 1769 there was a second drop in the number of cases pressed in these two counties. In Prince George's Court Maryland creditors prosecuted just under 50 cases in each of the years 1769 and 1770, whereas in 1767 and 1768 they prosecuted 78 and 72 cases, respectively. In Somerset Court the number was down to 87 and 76 cases in 1769 and 1770 from 141 and 111 cases in 1767 and 1768. This trend continued in Prince George's Court for one more year, but in Somerset Court there was a sizable increase in the number of cases in 1771. By 1772 and 1773 Maryland creditors prosecuted with a renewed vigor, and in 1774 the creditors in Prince George's and Somerset Courts increased the number of cases they prosecuted by 50 to 65 percent over the number prosecuted in 1773. Some of this vigor may well have been due to a backlog of cases not prosecuted in the preceding two or three years. The number of cases prosecuted in 1772 and 1773, for example, was similar to the number prosecuted in 1767 and 1768, when the courts became active again after the Stamp Act crisis. Also, an economic crisis which hit England in 1772 possibly caused some of the activity in the County Courts by Maryland creditors in 1772 and 1773. However, the records do not provide any examples of such a situation.

Activity by British merchants in the County Courts also reflected the economic and political situation in Maryland, although only to a minor extent. An examination of 215 cases prosecuted by British merchants in Prince George's Court shows that fairly heavy court activity occurred just before the Stamp Act went into effect and again on the eve of the Revolution. The only other significant feature of the cases prosecuted by British merchants concerns John Glassford of Glasgow. Glassford, who by the early 1770s was the largest exporter of tobacco from Maryland, did prosecute a high number of cases in November, 1773, which may reflect the impact of the British credit crisis of 1772.

The Provincial Court, where creditors prosecuted debt cases of larger sums, adds to the understanding of economic life in Maryland before the Revolution.⁵¹ Unfortunately, the records of the Provincial Court are very incomplete. Only approximately 325 cases covering the years 1765-1768 and 1775 remain. The existing cases do provide a few glimpses of the situation. Probably the most revealing information comes from cases concerning Henry Ridgely, merchant of Anne Arundel County. Ridgely was a debtor to British creditors and in turn a creditor to other Marylanders. In the April, 1765, session of the Provincial Court, John Stewart and Duncan Campbell, London merchants, sued Ridgely for L130 sterling. Just a few months later, in August, 1765, Ridgely prosecuted five cases in Anne Arundel County Court for approximately L200 Current Money.⁵² A similar incident took place in 1766-1767. In 1766 Silvanus Grove of London began to pressure Ridgely for a debt, as related earlier in this paper. Late in the year Grove's agent started a suit against Ridgely in Provincial Court. Again, soon thereafter Ridgely moved to collect a debt by prosecuting a suit in the May, 1767, session of the Provincial Court against a Frederick County planter.

Thus, Henry Ridgely fit into the Maryland economic scheme quite well. As a merchant-creditor he received credit from Britain and in effect passed it on to his own debtors. The records of the Provincial Court reveal that there were many others like Ridgely. Of forty cases prosecuted by British merchants, at

least eighteen of them involved Maryland businessmen such as merchants, mariners, innholders, and ironmasters. And it is not unlikely that others fell into the category even though the records listed them as "planters." Also significant is that the eighteen cases against Maryland businessmen involved quite large sums. The average debt prosecuted was L861 as compared to an average of L383 for the remaining cases prosecuted by British merchants in the Provincial Court.

The creditor-debtor relationship described above, especially the debt collection procedure, was subject to greater strain during times of economic depression within the Empire. Two major economic crises struck the Empire: in 1763 and 1772. As the first of these crises shook the English economy, reports began arriving in the colonies of the bankruptcies taking place across the Atlantic.⁵³ Simultaneously, British merchants pleaded the difficulty of their own position and the need to push debt collections in America. James Lawson of Glasgow wrote to one of his factors in Maryland in 1764 and detailed how he suffered "at present by being dunned and distressed by allmost every one we are indebted to."⁵⁴ Lawson declared that he would find relief from "this dismal situation" only if the factor collected debts due the firm and remitted the same to Glasgow.⁵⁵ The only choice was to go out and push the planters to pay their debts. The important thing to remember, urged Lawson, was that "others who pushed them first will get payment and we in the end lose all."⁵⁶

The depression of 1763 also caused British merchants and Marylanders, especially Maryland merchants, to act more cautiously in their business dealings. Sometimes the British merchant was the one who acted, such as in 1766 when Perkins, Buchanan, and Brown of London deleted goods from the order of Thomas Hyde, an Annapolis merchant. The London firm explained that Hyde had ordered "a considerable Sum more than you have Remitted." Thus, the firm took this action with the hope that Hyde would understand "as the present Time is very precarious."⁵⁷ Action also came on the part of Marylanders. In 1764, when Maryland and neighboring colonies first felt the depression, William Lux, a Baltimore merchant, began to curtail his business affairs.⁵⁸ By that time Lux owed L3685 to James Russell and William Molleson of London.⁵⁹ In 1764 Lux cancelled his next year's order for goods and told Russell and Molleson that he would pay his debt as soon as possible.⁶⁰ Lux did not pay fast enough, and Russell and Molleson pressed him. Lux, infuriated that the firm showed such concern, assured Russell he would pay.⁶¹ A short time later, after the affair blew over, Lux said he did not really blame Russell for what he had done since "he was at that time pincht."⁶² Also, as the economic situation in the Empire improved, the old pattern of credit and debt once again resumed. By the fall of 1766 Lux had ordered goods worth L1200 from Russell and asked the latter to furnish credit amounting to L2000 to his relative Darby Lux, who wanted to go into business. William Lux felt this was a reasonable request "as money is now plenty in England."⁶³

In 1772 a second depression rocked the British economy and again British merchants talked in terms of restricted credit and a need to collect debts. James Anderson of London succinctly described affairs when he wrote to a Maryland correspondent that the current economic picture "has caused the trading part of

us to act with extreme caution."⁶⁴ The merchants began to pressure Marylanders now to live up to past obligations. Quickly, relationships deteriorated, particularly between British and Maryland merchants. The relationship of Aquila Hall, a Baltimore merchant, with his British creditors illustrates this decline. In 1771 Hall purchased goods from Christopher Court and Company of London valued at L1319. In a letter sent to Hall the company declared that "we hope this introduction will be a means of establishing a lasting and mutual beneficial Correspondence between us."⁶⁵ In the following year, Court and Company asked Hall to be quicker in paying for the goods.⁶⁶ In 1773 the company repeated the request. At that time Court and Company stressed to Hall that it "is very hard upon us, these times, being kept out of our Money so long."⁶⁷

The same turn of events occurred in relation to at least one other Maryland merchant. In mid-1772 Mauduit Wright and Company of London sent a large order of goods to Stephen West of Prince George's County. Somewhat nervous concerning this transaction because of "the critical State of Credit in London," Mauduit and Company shipped the goods only after West's London partner, John Hobson, assured the firm that West would be able to cover the advancement.⁶⁸ Unfortunately, West did not pay the debt promptly. As a result, Mauduit and Company was furious by 1774, and in early 1775 John Hobson reported to West that their credit in London was ruined.⁶⁹

The pressure felt by individuals such as Aquila Hall and Stephen West was bound to pass on to the indirect recipients of credit, the Maryland planters, to some degree. This was clearly the situation in August, 1772, when James Russell of London notified John Galloway that the latter owed him L2086. Galloway simply urged his own debtors to pay up.⁷⁰ An even better illustration of how this credit structure affected Marylanders, especially in times of economic crisis, comes from the correspondence of Joshua Johnson of Annapolis. Johnson went to England in 1771 to represent the Annapolis firm of Wallace, Davidson, and Johnson. After Johnson arrived in London and started sending goods back to Annapolis, he reminded his partners to forward as much cash to him as possible so that he could pay the firm's debts.⁷¹ In 1771 and 1772 Johnson sent goods to Maryland valued at close to L15,000.⁷² Then, in mid-1772 he reported nervously the collapse of Fordyce and Company, bankers.⁷³ Within a few months tradesmen began calling on Johnson and asking payment for goods they had sold to him.⁷⁴ Also, there was a rumor circulating by the fall of 1772, Johnson reported, that because of pressure by tradesmen, London merchants wanted "to push" Maryland merchants for payment of debts.⁷⁵ By early 1773, Johnson wrote to Annapolis that his situation was "very ticklish," and that he needed money or the firm would "go to pott."⁷⁶ The continual theme of Johnson's correspondence now was the necessity of collecting debts in Maryland to support the firm.⁷⁷ He urged John Davidson in July, 1773, to get on his horse and go out and collect debts. If Davidson did not get busy, Johnson warned, the London merchants, who were also pushing debt collections, would outdo him.⁷⁸ Finally, by October, 1773, Johnson wrote that the economic situation was better in England, and his correspondence now lost some of the urgent tone which had characterized it for the previous year and a half.⁷⁹

In summation, the socio-economic school is quite correct. The credit system,

as it operated in Maryland, was bound to influence the lives and activities of the people of the colony. The continual calls for collection of debts, frequent court suits, and increased pressure during economic crises could well have served as an irritant, and perhaps even as a stimulus to political activity on the part of Maryland credit recipients. It is this aspect of the question to which we must now turn.

Maryland merchants seemed particularly vulnerable to the pressures of the credit system. Although probate records show that Maryland businessmen amassed personal estates during their lifetimes worth 2.74 times those of planters, the former's debts amounted to 5.31 times those of planters.⁸⁰ Such an involvement in the credit system could have produced a strong reaction among the merchants. In 1766, for example, William Lux, who had experienced some obvious perils as a Maryland merchant, was organizing a chapter of the Sons of Liberty in Baltimore. Primarily merchants joined this group, which Governor Robert Eden called the most "pronounced rebellious and mischeivous organization in the province of Maryland."⁸¹ Later, in the 1770s, the Baltimore merchants worked at varying times with the popular party in the colony led by Charles Carroll of Carrollton, Samuel Chase, and others, as well as with the more radical political faction led by John Hall, Matthias Hammond, and Rezin Hammond.⁸² Finally, in the spring of 1776, some Baltimore merchants formed the Whig Club. The basic purpose of this organization was to deport anyone who opposed independence, a stand which increased pressure on Maryland politicians to support independence.⁸³

It appears one could build a similar case for Maryland planters. By the fall of 1774, and continuing through 1775 into 1776, creditors complained of a reluctance among debtors to honor their obligations. James Dick an Annapolis merchant, declared in November, 1774, that "the distressed Situation of America at present renders the Collection of debts very precarious."⁸⁴ A Baltimore merchant, George Woolsey, wrote to an English correspondent in June, 1775, that "we assure you we find that the troublesome times make people Very tardy in paying their Debts."⁸⁵ But for some creditors, the most outstanding and outrageous example of this type of behavior came in May, 1774, in Annapolis. At that time a group of Annapolis citizens met and adopted four resolutions concerning the state of American affairs. The last of these resolves declared that lawyers should not prosecute any debt cases for British creditors until Parliament repealed the Intolerable Acts.⁸⁶ Alexander Hamilton, factor for James Brown and Company, feared this resolve would "be productive of a great deal of Mischief by encouraging those who at all times are tardy [in paying their debts], to delay the payments of their debts."⁸⁷

Yet, there appear to be some mitigating factors which one must consider in any attempt to explain the planters' revolutionary activities on the basis of the credit system that existed. One of the most obvious means of protest available to Marylanders on the eve of the Revolution, for example, was to cease paying their debts. Many chose not to follow this path. In September, 1774, one Maryland creditor remarked that although he had to spend time "hunting the Tardy," he found that "many of my Debtors seem disposed to pay off their old Scores."⁸⁸ Charles Grahame, an agent for James Russell, complained of the "Backwardness"

of the people in paying their debts, particularly of Baltimore debtors who seemed to give only "promises."⁸⁹ Still, in his correspondence of the following months, Grahame continually noted the payment of debts, primarily by the Baltimore debtors. In September, 1774, he wrote that William Hammond had paid L166 currency.⁹⁰ Then, in December Grahame sent details of a plan to Russell whereby William Moore, Junior, of Baltimore had offered to pay his debt (after threat of a lawsuit) in installments: five hundred barrels flour immediately, L1000 in February, L1000 in August, and the rest in August, 1776.⁹¹ Moore did make known payments of L900 in January, 1775, and L545 in April, 1775.⁹² There are other examples of the same sort. William Hammond, referred to above, continued to make payments to James Russell.⁹³ In November, 1774, Charles Grahame reported to Russell that he had collected L2775 in debts for the latter.⁹⁴ Even the pessimist Alexander Hamilton wrote to his firm in 1775 that "Your Debts come in very slow," although "I think the greatest part of them are good."⁹⁵

Marylanders also paid off some of their British debts in 1774 and 1775 by sending their tobacco to the merchants. By August, 1774, the Scottish tobacco traders were bidding up prices in order to purchase Maryland tobacco.⁹⁶ To further encourage planters to ship their tobacco, and perhaps as a means of competing with the Scots, the agents of James Russell advanced the planters L5 sterling per hogshead in the fall of 1774 and L6 sterling the following spring. The agents then received this money for debts due to Russell.⁹⁷ Russell approved of this scheme, and the planters apparently did likewise.⁹⁸ The agents were able to send Russell full ships of tobacco as a result.⁹⁹

The commencement of the American non-importation agreement in December, 1774 did not seem to discourage the planters from sending their tobacco. Rather, at least some Marylanders looked upon the inability to purchase more goods as an opportunity to pay off their past obligations.¹⁰⁰ Clearly, in the spring of 1775, as the Annapolis merchants James Dick and Anthony Stewart reported, Marylanders were anxious to send their tobacco before the Continental Congress stopped exportations.¹⁰¹ As a result, British merchants received record amounts of remittances, possibly "treble" the normal amount, in tobacco shipments.¹⁰²

Even if many Marylanders were not paying their debts in 1774 and 1775, does this mean we should conclude they were expressing themselves politically in reaction to a system which had exercised an impact on their lives much of the eighteenth century and that they would go on and join a revolutionary movement as a final means of protest? There is evidence some individuals chose to hoard money rather than use it to pay their debts because of the fear of hard times. The Maryland merchant, George Woolsey, experienced such a situation even though the debtors involved were "good people," or "people of good fortun's."¹⁰³ John Smith and Sons, Baltimore merchants were faced with the same difficulty. As they exclaimed in 1775, "We find it difficult to collect money at this time . . . those who have are not willing, indeed afraid to part with it."¹⁰⁴ This hoarding also restricted the payment of debts by others since it caused a shortage of ready money. The factor Alexander Hamilton declared he was sure many debtors "would willingly pay their Debts, though many would be verry glad of the Excuse, but it will not then be in their power, having no specie."¹⁰⁵

Another question which merits attention is what importance should be given

to the Annapolis resolve of May, 1774, in favor of the suspension of debt cases. Certainly, Alexander Hamilton feared debtors would use this resolve or similar resolves as a defense for not paying their debts. But did they? The citizens of Queen Anne's and Charles counties ignored the debt resolve.¹⁰⁶ In Harford County representatives adopted a similar resolve but said it did not apply to dishonest debtors.¹⁰⁷ Frederick and Caroline counties declared such a resolve would be necessary if the colonists ceased exporting tobacco (a very different motive), one of the primary means of paying debts.¹⁰⁸ And in Prince George's County, the debt resolve, according to one observer, "had not one Advocate."¹⁰⁹ As the Revolution approached there was no uniform movement in Maryland by debtors to cease the payment of their debts as a means of protest.

Lastly, if one chooses to rely primarily upon the economic situation in Maryland to explain the growth of a rebellious spirit there, what happens to other explanations, such as the constitutional question? Was Charles Carroll of Carrollton reflecting only his economic background when he wrote to a correspondent in Europe in August, 1774, that the Empire teetered on the "brink of ruin" due to "mistaken policy, an ill-grounded jealousy, or rather ye insatiable avarice or worse ambition of corrupt ministers intent on spreading that corruption thro' America?"¹¹⁰ Governor Robert Eden recognized in December, 1774, that the people of the colony would "undergo any Hardship sooner than acknowledge a Right in the British Parlt. in that Particular [internal taxation]."¹¹¹ Perhaps Marylanders really were concerned with liberties other than their economic freedoms. As John Smith and Sons of Baltimore declared in June, 1775, "Wish we may not be drawn to extremities if we are We part not wt out Liberties but wt our Lives."¹¹² If these men did mean what they said, then it would be wise to look upon the economic background of pre-Revolutionary Maryland, as exemplified by the credit system, for what it was: one contributing cause of the Revolution in Maryland.¹¹³

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2. Oliver Wolcott, *British Influence on the Affairs of the United States Proved and Explained* (Boston, 1804), cited in Charles A. Beard, *Economic Origins of Jeffersonian Democracy* (New York: The Macmillan Company, 1927), p. 297.
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4. Wood, "Rhetoric and Reality," pp. 160-167; Egnal and Ernst, "An Economic Interpretation," pp. 7-8.
5. Calvin B. Coulter, "The Virginia Merchant" (PhD. diss., Princeton University, 1944), particularly pp. 105-167 and 222-239. Similar to Coulter's study, although for an earlier era, is John M. Hemphill's, "Virginia and the English Commercial System, 1689-1733. Studies in the Development and Fluctuations of a Colonial Economy Under Imperial Control" (PhD. diss., Princeton University, 1964).
6. Richard Sheridan, "The British Credit Crisis of 1772 and the American Colonies," *The Journal of Economic History*, 20 (1960): 186.
7. Ronald Hoffman, *A Spirit of Dissension Economics, Politics, and the Revolution in Maryland* (Baltimore: The Johns Hopkins University Press, 1973), pp. 124-125.
8. Egnal and Ernst, "An Economic Interpretation," pp. 24-27.

9. Capel and Osgood Hanbury to Executor of Kensey Johns, January 6, 1766, Johns Papers, Maryland Hall of Records (hereafter cited as HR).
10. Capel and Osgood Hanbury to James Brooke, November 12, 1767, Brooke Papers, HR.
11. In 1772 Charles Carroll of Carrollton switched much of his business from Perkins and Company to the firm of West and Hobson because he was unhappy with the former. Perkins and Company had not given Carroll satisfaction concerning complaints the latter had against British tradesmen. Perkins and Company must have regretted this loss. In 1772 Carroll shipped tobacco to West and Hobson worth approximately L1270 sterling. Charles Carroll of Carrollton to Perkins and Company, June 3, 1772, and Charles Carroll of Carrollton to West and Hobson, October 16, 1772, both in Charles Carroll of Carrollton Letterbook, New York Public Library.
12. William Molleson Account Book, 1501, HR.
13. *Ibid.*, 1501 and 1502. There is disagreement as to the size of debts in the Chesapeake. Richard Sheridan has shown that six English firms in 1776 held average debts of L644 in Virginia, although two Scottish firms held average debts of only L29. Jacob Price, on the other hand, concluded that most individuals in the Chesapeake owed L10 or less. Certainly, Sheridan, Price, and most other historians agree that the total indebtedness of the Chesapeake was large. The evidence is not conclusive that all planters were so burdened by indebtedness that they became revolutionaries because of strain developed by the system. Marc Egnal and Joseph Ernst contend that even a small debt could be a burden in a time of economic crisis, but this is questionable. Sheridan, "The British Credit Crisis," pp. 179-181, Jacob Price, "Capital and Credit in the British-Chesapeake Trade, 1750-1775," V.B. Platt and D.C. Skaggs, eds., *Of Mother Country and Plantations: Proceedings of the Twenty-Seventh Conference in Early American History* (Bowling Green: Bowling Green State University Press, 1971), p. 33, and Egnal and Ernst, "An Economic Interpretation," p. 25.
14. The counties used were Anne Arundel, Baltimore, Frederick, Prince George's, Somerset, and Talbot. Helpful in distinguishing British merchants, if they were not noted as such in the probate records, were such works as James Pagan, *Sketches of the History of Glasgow* (Glasgow, 1847), which identifies at least forty-six different Glasgow firms alone that were dealing in the tobacco trade in 1774. The probate records are located at HR.
15. The probate records show that the deceased owed an average total indebtedness of about L155. The actual figure amounted to about L135 since the cost of probating an estate, which was included in the final indebtedness total, was approximately L20. One might argue that probate records are a poor indication of actual indebtedness since individuals were likely to reduce their obligations in old age, but this is not necessarily true. Rather, indebtedness to some degree was simply a way of life, and it is unlikely the colonists made a special effort to change the pattern in their declining years. See, Edward Papenfuss, "Planter Behavior and Economic Opportunity in a Staple Economy," *Agricultural History*, 46 (1972): 310-311.
16. Account of Samuel Galloway with Silvanus Grove, May 18, 1763. Galloway-Maxy-Markoe Papers, Library of Congress (hereafter cited as LC).
17. Account of Samuel Galloway with Thomas Philpot, February 28, 1764, *ibid.*
18. Invoice of goods shipped April 1, 1765, Charles Ridgely Papers (692.1), Maryland Historical Society (hereafter cited as MHS).
19. James Russell to Captain Charles Ridgely, January 24, 1767, Ridgely Papers, MHS.
20. John Buchanan to Charles Ridgely and William Goodwin, September 12, 1767, *ibid.*
21. William Molleson to Captain Charles Ridgely, December 22, 1770, *ibid.*
22. William Molleson to Captain Charles Ridgely, April 10, 1772, *ibid.*
23. James Russell to Captain Charles Ridgely, August 11, 1773, *ibid.*
24. James Dick and Anthony Stewart, Annapolis merchants, were indebted to John Buchanan and Son of London for at least L6775 in 1773, although they declared as unfounded the rumor that they owed L10,000. James Dick and Stewart to William Lee, June 30, 1773, James Dick and Anthony Stewart Letterbook, Duke University Library (hereafter cited as DUL). Jacob Price concluded that indigenous colonial merchants suffered more from the credit system than did planters. Consequently, he felt the Revolution might well be considered the result of "the birth pangs of commercial capitalism struggling to be born." Ronald Hoffman also emphasized the impact of the credit system on Maryland merchants. Price, "Capital and Credit," pp. 35-36, and Hoffman, *A Spirit of Dissension*, pp. 28-43.
25. Mark Alexander Account Book, MHS. The British supplier of goods and credit to Alexander at this time is not known. By 1773 he was dealing with Mildred and Roberts of London, to whom he owed over L500. Mildred and Roberts to Mark Alexander, March 8, 1773, Harford County Historical Society Papers, No. 272, HR.
26. *Maryland Gazette*, November 13, 1766.
27. *Ibid.*, May 30, 1765.
28. *Ibid.*, July 7, 1774.

29. *Ibid.*, June 27, 1765.
30. Thomas Philpot to Samuel Galloway, October 12, 1765, Galloway-Maxcy-Markoe Papers, LC.
31. Silvanus Grove to Samuel Galloway, March 29, 1764, *ibid.*
32. Samuel Galloway to Silvanus Grove, August 14, 1766, *ibid.*
33. Silvanus Grove to Samuel Galloway, November 6, 1766, *ibid.*
34. Samuel Galloway to Silvanus Grove, December 11, 1766, *ibid.*
35. Silvanus Grove to Samuel Galloway, March 1, 1765, *ibid.*
36. *Silvanus Grove v. Henry Ridgely*, Provincial Court, October, 1766 session, HR.
37. Samuel Galloway to Silvanus Grove, April 19, 1768, Galloway-Maxcy-Markoe Papers, LC.
38. Samuel Galloway to Silvanus Grove, May 27, 1769, *ibid.*
39. Samuel Galloway to Silvanus Grove, May 30, 1770, *ibid.*
40. Thomas Philpot to Samuel Galloway, May 2, 1765, *ibid.*
41. J. Porter to Samuel Galloway, September 1, 1765, *ibid.*
42. John Galloway to James Russell, August 29, 1774, James Russell Papers, Coutts Bank Collection, University of Virginia Library (hereafter UVL).
43. *Maryland Gazette*, April 18, 1765.
44. *Ibid.*, February 12, 1767.
45. *Ibid.*, June 22, 1769.
46. *Ibid.*, September 29, 1774.
47. "An Act for Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law," (1714) *Archives of Maryland*, ed. William H. Browne *et al.*, 72 vols. 29 (Baltimore, 1883-), 29: 439-42.
48. The information for the County Courts comes from Anne Arundel, Baltimore, Frederick, Prince George's, Somerset, and Talbot County Court Records, 1765-1775, HR.
49. Of those individuals who prosecuted three or more cases in Prince Georges County Court, seventeen out of a total of twenty-four were listed as merchants.
50. Alexander Hamilton to James Brown and Company, February 26, 1774, Alexander Hamilton Letterbook, Vol. 34 of John Glassford Papers, LC.
51. Provincial Court Records, HR.
52. Anne Arundel County Court, August, 1765 session.
53. Silvanus Grove to Samuel Galloway, October 31, 1763, and Paul and James Benson (of Cork) to Samuel Galloway, June 3, 1764, Galloway-Maxcy-Markoe Papers, LC.
54. James Lawson to Alexander Hamilton, January 31, 1764, Hamilton Papers, MHS.
55. *Ibid.*
56. James Lawson to Alexander Hamilton, October 18, 1764, *ibid.*
57. Perkins, Buchanan, and Brown to Thomas Hyde, January 13, 1766, Hyde Papers, MHS.
58. Lux wrote to his brother that trade was "extremely dull." He explained that "Many Brankruptcys are expected in Phil . . . the Severall Bankruptcys in England have effect Virg prodigiously, And the very low price of Tob has reduced us here to great straits, the People being much involved." Lux concluded that "Our Colony never was in such bad Circumstances." William Lux to Darby Lux, May 23, 1764, William Lux Letterbook, New York Historical Society.
59. William Lux to James Russell and Molleson, October 2, 1764, *ibid.*
60. William Lux to James Russell and Molleson, October 27, 1764, *ibid.*
61. William Lux to James Russell, July 20, 1765, *ibid.*
62. William Lux to William Molleson, February 4, 1766, *ibid.*
63. William Lux to James Russell, July 6, 1766, and November 3, 1766, *ibid.*
64. James Anderson to James Hollyday, September 1, 1772, Hollyday Papers, MHS.
65. Christopher Court & Company to Aquila Hall, April 10, 1771, Aquila Hall Papers, MHS.
66. Christopher Court & Company to Aquila Hall, August 1, 1772, *ibid.*
67. Christopher Court & Company to Aquila Hall, April 25, 1773, *ibid.*
68. Mauduit Wright & Company to Stephen West, July 6, 1772, Oden Papers, MHS.
69. William Mauduit to Stephen West, July 10, 1774, and January 11, 1775, and John Hobson to Stephen West, February 21, 1775, *ibid.*
70. James Russell to John Galloway, August 22, 1772, and James Nicholson to John Galloway, September 9, 1773, Galloway-Maxcy-Markoe Papers, LC. When John Buchanan and Son failed in 1773, James Dick and Stewart of Annapolis felt pressure because the trustees of the bankrupt Buchanan asked for the immediate payment of all debts due the firm. In turn, Dick and Stewart wrote to their debtors in Maryland and asked for payment of debts. They wrote to one debtor that "at this time we are much press'd for money and depend on the payment of your bond to answer our demands." "And therefore," they continued, "we must be explicit with you on that subject, we shall expect in fourteen days a considerable payment or that you will give up an additional Security to your Bond & unless one or other of these requests are complied with you must expect your bond to be put in Suit at the ensuing provincial Court." This debtor did not

- panic at Dick and Stewart's warning. It took him a year to fulfill the demand. James Dick and Anthony Stewart to Robert Wilson, February 7, 1774, and March 18, 1775, James Dick and Anthony Stewart Letterbook, DUL.
71. Joshua Johnson to Wallace and Davidson, June 4, 1771, and July 26, 1771, Wallace, Davidson, Johnson Letterbook, I, HR.
 72. By late 1771 Johnson had sent goods worth approximately L1200. In early 1772 he notified his partners that he was shipping goods valued at L5566, and in mid-1772 he wrote that he was shipping another cargoe worth L7830. Joshua Johnson to Wallace and Davidson, December 28, 1771, February 18, 1772, *ibid.*
 73. Joshua Johnson to Wallace and Davidson, June 6, 1772, *ibid.*
 74. Joshua Johnson to Wallace, Davidson, and Johnson, August 29, 1772, *ibid.*
 75. Joshua Johnson to Wallace, Davidson, and Johnson, October 7, 1772, *ibid.*
 76. Joshua Johnson to Wallace, Davidson, and Johnson, January 6, 1773, and February 5, 1773, *ibid.*
 77. Joshua Johnson to Wallace, Davidson, and Johnson, February 6, 1773, and April 26, 1773, *ibid.*
 78. Joshua Johnson to Charles Wallace, July 2, 1773, *ibid.*
 79. Joshua Johnson to William Lux and Bowly, October 4, 1773, *ibid.*
 80. These figures are based on the probated Accounts of thirteen individuals specifically identified as "merchant" or "captain."
 81. George W. McCreary, *The Ancient and Honorable Mechanical Company of Baltimore* (Baltimore, 1901), p. 25, cited in Ronald Hoffman, *A Spirit of Dissension*, pp. 38-39. As noted previously, Hoffman's work emphasizes the impact of the credit system on indigenous merchants.
 82. Hoffman, *A Spirit of Dissension*, p. 136.
 83. *Ibid.*, p. 165.
 84. James Dick and Stewart to William Petrie & Son, November 22, 1774, James Dick and Anthony Stewart Letterbook, DUL.
 85. George Woolsey to Robert Lisle, June 24, 1775, Woolsey-Salmon Letterbook, LC.
 86. *Maryland Gazette*, June 2, 1774.
 87. Alexander Hamilton to James Brown and Company, May 28, 1774, Alexander Hamilton Letterbook, LC.
 88. Thomas Ringgold to Samuel Galloway, September 11, 1774, Galloway-Maxy-Markoe Papers, LC.
 89. Charles Grahame to James Russell, March 21, 1774, and November 15, 1774, Coutts Bank Collection, UVL.
 90. Charles Grahame to James Russell, September 9, 1774, *ibid.*
 91. Charles Grahame to James Russell, July 27, 1774, and December 10, 1774, *ibid.*
 92. Charles Grahame to James Russell, January 21, 1775, and April 3, 1775, *ibid.*
 93. William Hammond to James Russell, October 28, 1774, *ibid.*
 94. Charles Grahame to James Russell, November 9, 1774, *ibid.*
 95. Alexander Hamilton to James Brown, May 16, 1775, Alexander Hamilton Letterbook, LC.
 96. Charles Grahame to James Russell, August 22, 1774, Coutts Bank Collection, UVL.
 97. Zephaniah Turner to James Russell, October 5, 1775, *ibid.*, and Philip Fendell to James Russell, April 6, 1775, *ibid.*
 98. Philip Fendell to James Russell, November 15, 1774, *ibid.*
 99. Philip Fendell wrote to James Russell in May, 1775 that "the planters are now giving in their Tobacco as fast as I can get from the Ware Houses." Philip Fendell to James Russell, May 4, 1775, *ibid.*
 100. One Annapolis citizen wrote to James Russell that "Our Congress has stoped all Importations so that we have nothing to do but pay our Debts. I shall remitt you some more Bills soon." Nicholas Maccubbin to James Russell, November 16, 1774, *ibid.*
 101. James Dick and Stewart to James Russell, May 30, 1775, James Dick and Anthony Stewart Letterbook, DUL.
 102. William Lee to Richard Henry Lee, July 13, 1775, and September 22, 1775, *Letters of William Lee, 1766-1783*, ed. Worthington C. Ford, 3 vols. (New York: Burt Franklin, 1968), I: 111-14.
 103. George Woolsey to Jno. Armstrong, May 11, 1775, and George Woolsey to John Pringle, August 22, 1775, both in Woolsey-Salmon Letterbook, LC. James Dick to John Nelson, October 13, 1775, James Dick and Anthony Stewart Letterbook, DUL.
 104. John Smith & Sons to Mildred Roberts, August 9, 1775, Smith Letterbook, MHS.
 105. Alexander Hamilton to James Brown and Company, May 16, 1775, Alexander Hamilton Letterbook, LC. Marylanders had often complained of the lack of specie in the eighteenth century. Sephen West did so in 1761, Henry Ward in 1764, and Charles Carroll of Carrollton in 1766. The latter declared it was "extremely difficult to get in even small sums from people who are

in good circumstances and this difficulty can be owing to nothing but a scarcity of circulating money." Paul H. Giddens, "Trade and Industry in Colonial Maryland, 1753-1769," *Journal of Economic and Business History*, 4 (1932): 535-536.

106. *American Archives*, comp. Peter Force, 4th ser., 6 vols (Washington, 1837-1846), I: 366, 409.
107. *Ibid.*, 402-403.
108. *Ibid.*, 433-434, 425-426.
109. Charles Grahame to James Russell, June 6, 1774, Coutts Bank Collection, UVL.
110. Charles Carroll of Carrollton to William Graves, August 15, 1774, "A Lost Copy-Book of Charles Carroll of Carrollton," ed. J.G.D. Paul, *Maryland Historical Magazine*, 32 (1937): 225.
111. Robert Eden to Lord Dartmouth, December 30, 1774, *American Archives*, 4th ser., I: 1076.
112. John Smith & Sons to George C. Fox, June 5, 1775, Smith Letterbook, MHS.
113. Charles A. Barker stressed both underlying economic factors and a devotion to Whiggish principle to explain the revolutionary movement in Maryland. Charles A. Barker, "The Revolutionary Impulse in Maryland," *Maryland Historical Magazine*, 36 (1941): 125-38.

Black Immigrants: The Slave Trade in Colonial Maryland

DAROLD D. WAX

AS RECENTLY AS FIFTEEN YEARS AGO KNOWLEDGE OF THE SLAVE TRADE TO the Americas was extremely limited. What was known about slave imports in English-America rested primarily on information pertaining to the West Indian Islands. While it was recognized that blacks were carried to England's continental colonies, the outlines of this traffic were but vaguely understood.

Philip Curtin has revised significantly the estimate of the number of blacks transported to the Americas.¹ Other scholars, in studies more narrowly defined in time and space, have gathered considerable evidence and have offered important conclusions about the scale and the organization of the slave trade.²

The English continental colonies were involved in various ways in the slave trade. They sent vessels to Africa for slave cargoes; they participated in an intricate exchange with the West Indian Islands that included the importation of small parcels of slaves; and, in some cases, they developed entrepôts for receiving and selling ship-loads of Africans. Though the New England colonies themselves absorbed few slaves from either Africa or the West Indies, the slave trade was vigorously promoted and pursued at Boston and Newport. New York ships plied the Atlantic ferrying Africans to numerous New World locations, and New Yorkers also imported blacks directly into their province.

The overwhelming majority of the slaves brought to the English continental colonies entered through two key areas or zones, both located south of Pennsylvania: Charleston and the Chesapeake Bay. South Carolina, a portion of North Carolina, and to some degree Georgia all received slaves by way of Charleston. The slave trade in the Chesapeake Bay region differed from that conducted at Charleston. The Great Bay of the Chesapeake lacked a dominant port or town where slaves could be landed for sale to adjacent areas. As with all other branches of Chesapeake commerce, the slave trade followed the Bay's complex system of waterways. In Maryland, the Potomac, Patuxent, and Choptank Rivers, together with other rivers, bays and inlets, all offered ready access to the interior—a convenience that nearly eliminated the need for seaport towns. The Chesapeake slave trade was further affected by the presence of two colonies, each with its own governmental apparatus. Policies aimed at encouraging or curtailing tobacco production, and which in turn would stimulate or hinder slave importations, were formulated at the provincial rather than at the regional level. Similarly, legislative enactments imposing duties on incoming slaves were developed independently by the two colonial assemblies.

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Slave imports in Virginia and the lower Chesapeake have been reconstructed from surviving records and as a result the extent of that trade and its character are now fairly clear.³ The slave traffic into Maryland and the upper Chesapeake, on the other hand, has not yet been carefully charted. Thus, an examination of slave imports in colonial Maryland will fill out our knowledge of African immigration to a key continental zone and will permit also comparisons with slave imports in Virginia.

Like Virginia, Maryland did not turn at once to slave labor. For several decades after Maryland's founding, labor requirements were met almost exclusively by white indentured servants. From the beginning the population grew steadily. In 1670, thirty-five years after the establishment of St. Mary's, Maryland's population was approximately 16,000.⁴ The new colony did have advantages over its sister province to the south, however, if only in falling heir to a body of experience accumulated by Virginians. Maryland did not pass through a period of serious economic uncertainty; the earliest arrivals relied from the outset on the cultivation of tobacco, a proven crop which very soon became the agricultural staple of the colony.⁵ Marylanders also came to realize the suitability of slave labor to the needs of their emerging agrarian society. Most important, perhaps, those responsible for directing the fortunes of the colony recognized the potential of slave labor. And though Maryland's leaders were unsuccessful in their initial efforts, they did what they could to encourage slave importations.

Four years after the arrival of the first settlers, Lord Baltimore requested his agent to purchase cattle, sows, hens, and "Ten Negroes" for use on his lands. His younger brother, Leonard Calvert, who was appointed first governor of Maryland, sought to acquire in 1642 "fourteene negro men-slaves, and three women slaves, of betweene 16 and 26 yeare old able and sound in body and limbs." Another member of the Calvert family expressed regret in 1664 that he was unable to find a sufficient number of responsible men who "would engage to take a 100 or 200 neigros every yeare from the Royall Company."⁶

Though slave imports grew at a very slow rate during the middle decades of the seventeenth century, there was a marked increase in the slave trade in the last years of that century. A recent study of the slave population of four Maryland counties, all on the lower Western Shore, has shown that an expansion began in the 1650s, with an abrupt acceleration in the middle 1670s. In 1658 slaves made up approximately three percent of the total population of the four counties; in 1710 blacks accounted for nearly a quarter of the area's population.⁷

A large proportion of the increasing black population derived from new arrivals. Where these blacks were obtained, however, is not altogether clear. Records of slave imports for the seventeenth century are incomplete at best and are often non-existent. It is a safe guess that many of these slaves reached Maryland via the same means and routes that brought blacks to Virginia—through Dutch traders and through direct exchange with the island colonies.⁸ For the 1680s and 1690s, when English merchants began importing slaves to the colony, records are a bit more complete and information about the source of slaves is more concrete.

While some slaves continued to be imported from the West Indies, especially Barbados, by the 1690s most were being brought directly from Africa. We learn

from English records, for example, that the Royal African Company dispatched the ship *Speedwell*, Marmaduke Goodhand, master, to the River Gambia in early January, 1685. Goodhand was instructed to take on at least "Two hundred Negroes" for delivery at the Potomac River, where a group of Virginians were to direct the sales. A cargo of 160 slaves arrived in October 1695 and one year later the ship *Society* of London entered Annapolis with 175 Negroes.⁹ Even with this increase of slave imports, the Assembly, speaking for local planters, complained in 1697 of "the difficulty they labour under and the little benefit accruing to them from the few Negroes Imported the last year and the little trade to Barbados." The hope, the Assembly said, was "for better fortune this year."¹⁰

Planters anxious to increase productivity but dependent on laborers brought in from abroad realized some relief as the century came to a close. Governor Francis Nicholson reported in 1698 that about 470 blacks had been imported during the summer—"396 in one ship directly from Guinea, 50 from Virginia who came thither in a ship from Guinea, 20 from Pennsylvania, who came thither from Barbados: a few others from other places." The parliamentary act of 1698 that revoked the monopoly privilege of the Royal African Company also gave encouragement to the Chesapeake slave trade. Between May and mid-August, 1699, three London vessels imported 352 slaves, an average of 117 per cargo. By 1700 Maryland was co-sponsor with Virginia of the largest slave traffic on the continent.¹¹

Records of slave imports for the period after 1700 are less fragmentary, though significant gaps remain that thwart efforts to measure precisely the volume of the trade. The concern of English officials who were wrestling with the future of the Royal African Company and the abandonment of the monopoly feature of the African trade led to attempts to compile slave import figures for all the colonies at the beginning of the century. Thus, what are probably fairly complete data exist for the years 1700-1708 (Table I). For the years between 1709 and 1729 few records have survived in any form and no meaningful reconstruction of slave imports is possible. For the period 1730 to 1750, records are missing or lost for more than half the years and for the remaining years they are not always complete. The last quarter century of the colonial era yields substantial evidence that is available in several forms.

Annapolis is the only port of entry whose extant shipping records extend over a considerable period of time, from 1745 to July 22, 1775. Materials exist for other ports of entry for more limited periods. There are fragmentary records for Oxford in the 1730s and 1740s and complete records for the last quarter of 1742 through 1756, and from 1759 through the third quarter of 1773. For the port of Patuxent records cover the years from June 25, 1745 through 1756, and also 1768 through 1772.¹² The *Maryland Gazette*, begun in 1745, provides three decades of continuous publication and assists in gauging the Maryland slave trade. Slave cargoes advertised in the *Gazette* add significantly to the picture that emerges from the official records. Indeed, as a comparison of official and newspaper reports makes clear, the port of entry records are not to be trusted entirely, for many slave cargoes announced in the newspaper do not show up in these other documents. Despite the lacunae and discrepancies in the evidence at hand, the extent and character of the Maryland slave trade can be assessed.

TABLE I
Slaves Imported Into Maryland, 1700-1708

Date	Vessel	Owner/Trader	Place	# of Slaves
July 20, 1700	John Hopewell	M'rs. Smith and Petit & Co.	London	320
Oct. 7, 1701	Betty Galley		London	64
July 4, 1702	Endeavour		London	49
July 4, 1702	Hunter Galley		London	152
Sept. 4, 1702	Providence		London	136
July 13, 1703	Pinck Mary		Barbados	55
June 11, 1704	Dolphin		London	200
July 2, 1705	Brigantine Dorset	M'rs. Rascow	London	131
July 9, 1705	Olive Tree	M'rs. Perry Browne and Co.	London	150
Aug. 11, 1705	Brigantine Adventure		London	90
Aug. 11, 1705	Sloop Swallow		Barbados	71
July, 1706	Olive Tree	M'rs. Perry Browne and Co.	London	163
Aug. 4, 1707	Young Margaret	Ditto	London	265
Aug. 11, 1707	Brigantine Adventure		London	92
May 25, 1708	Delight Galley	James Wate, John Dorrell, and Edward Popley	London	114
June 19, 1708	John and Constant Galley		London	9
July 10, 1708	Mary	Rob. Cruikshank, Perry Browne, and Henry Bock	London	217
Aug. 4, 1708	Prosperous Galley	Thomas Mayhew, Saml. Theyser, and Wm. Hinton	London	110
Aug. 19, 1708	Queene Anne Galley	M'rs. John Goodwin and Co.	London	79
Oct. 25, 1708	Alexander Galley	Wm. Loame, Godfrey Webster, John Dene, and Thos. Stringer	London	119

Source: Elizabeth Donnan, ed., *Documents Illustrative of the History of the Slave Trade to America*, 4 vols. (Washington, D.C.: Carnegie Institution, 1930-35), 4:17-18.

Between 1720 and 1749 approximately 1,330 slaves are known to have entered Maryland, an average of slightly more than forty-four slaves per year (Table II). These figures should be regarded as incomplete.¹³ Still, features of the Maryland slave trade that emerged during these years prevailed until the Revolution. Of the nineteen vessels that brought slaves to Maryland between 1720 and 1750, five, it would seem, were engaged in the transatlantic traffic. The size of the cargo of these five vessels varied from 130 slaves transported on the Liverpool ship *Planter* to 355 slaves on *London Friggot*, one of the largest cargoes to enter Maryland in the colonial era. Only one slaver, the ship *Cunliffe*, can be linked definitely to the West Indian trade. This particular shipload of slaves raises two points. Port records for Oxford reveal the exact number of slaves on board *Cunliffe*—eighteen. The same cargo was advertised in the local paper, where the announcement noted the sale of a "Parcel of Negroe Men, Women, Boys and Girls . . . from Barbados."¹⁴ It was rare that the *Maryland Gazette*, in announcing the arrival of new slaves, reported the precise number.

TABLE II
Number of Ships and Slaves Arriving in Maryland, 1720-1750

Year	No. of Ships	No. of Slaves
1720	1	212
1721		
1722		
1723		
1724		
1725		
1726		
1727		
1728		
1729	1	200
1730		
1731	1	3
1732	2	27
1733		
1734		
1735		
1736		
1737		
1738		
1739		
1740	1	1
1741	1	1
1742	2	485
1743		
1744		
1745		
1746	1	18
1747		
1748	1	3
1749	8	380 + "several"

Sources: Royal African Company Letterbooks; Port of Entry Records; and *Maryland Gazette*.

Most often notices used terms such as "cargo," "parcel," "a few" and other vague language. As will be noted, many shiploads of slaves for the period after 1750 were reported only in the *Gazette*. Arriving at a reasonable estimate of the number of slaves carried on these ships—ships whose cargoes were not listed in the official records—poses problems.

The second issue raised by this "parcel" of slaves has to do with provenance. Maryland records show that *Cunliffe* was owned by Foster Cunliffe and Sons of Liverpool and had sailed from Barbados. From this information it would be reasonable to conclude that the slaves the ship carried were seasoned blacks. But ownership of *Cunliffe* by a major Liverpool slave trading firm invites speculation that the slaves were actually new African Negroes, and originally part of a much larger cargo. Further study confirms this guess, for it turns out that *Cunliffe* came to Maryland from Virginia, where it had arrived at the York River with a cargo of ninety slaves.¹⁵ This being so, and given the pattern of slave trading out of Liverpool, it is very likely that *Cunliffe* first disposed of part of its African cargo at Barbados and then transported the remainder to Virginia and Maryland. It is difficult to document other voyages that brought

Africans first to the islands and then on to the Chesapeake, but it appears that this practice was not uncommon.

At least 129 of the slaves brought to Maryland between 1720 and 1750 came by way of Virginia. Some of these may well have been Virginia Negroes, although one vessel, the 120 ton ship *George*, owned by a London firm, carried an African cargo that was partially sold at Virginia before coming on up the Chesapeake.¹⁶ In any event, it is clear that Maryland was importing small groups of slaves from Virginia and the other continental colonies.

Between 1750 and 1773 it can be estimated that about 6,841 slaves came to Maryland from the three established sources: Africa, usually following a direct transatlantic route; the West Indies, where seasoned slaves were obtained, though by no means all of the imports from the Caribbean were seasoned blacks; and the continental colonies, the least important of the three sources.¹⁷ Africa was by far the chief source, supplying 92.1 percent of all the slaves whose origins can be traced, or 6,301 of the whole number. The West Indies shipped slightly more than 419, or 6.1 percent, while only 121, or 1.8 percent, were sent from continental provinces.

It would appear that throughout the colonial period Maryland was importing less than half as many slaves as was Virginia. Virginia records, for example, show that between 1750 and 1769 the colony absorbed 12,895 blacks.¹⁸ During these years approximately 6,000 slaves reached Maryland.¹⁹ Figures for the two colonies for the years between 1699 and 1708 reveal a similar pattern, with Virginia receiving 6,607 slaves and Maryland 2,938.²⁰ Given a smaller white population, which would suggest a more restricted demand for slaves, and the additional time and expense involved in sailing farther north to markets in the upper Chesapeake, Maryland's slave imports could be expected to be below those of Virginia. Although population figures must be used with care when seeking conclusions relative to slave imports, the size of the slave populations in the two colonies seems in line with an African immigration to Virginia that was more than double that to Maryland.²¹

The preponderance of slaves reaching Maryland directly from Africa testifies to the importance of the Atlantic route as a source of blacks for all of the plantation colonies. New Negroes were preferred over slaves seasoned in the islands. Slaves transported from the islands were viewed with suspicion; potential buyers were fearful that they might be "refuse" slaves, sent off because they could not or would not perform the labor demanded of them.²² Planters and slave factors in the Chesapeake area consistently called attention to the poor market for slaves sent from New World ports. An experienced Maryland trader reported in 1761 that he was having trouble selling a parcel of slaves from Barbados. Buyers, he said, "will not give ye price of new Negroes for them," since it was suspected they were "Rogues."²³

Their strong preference for new slaves led Marylanders to develop a fairly keen sense of the characteristics of blacks coming from various sites along the West African Coast. Slaves from central Africa, generally designated as "Angola," were held in low repute in the Chesapeake colonies. The longer voyage from Angola increased the morbidity rate, often culminating either in deaths on the middle passage or in shiploads of sickened slaves. "Long passages," wrote a

planter on the Eastern Shore, "very often Occations great Mortality among the Negroes."²⁴ The Africans most preferred were those from Senegambia and the Gold Coast. Slave dealers pointed out that blacks from these regions of West Africa would come to a good market.²⁵

Although market preferences were subject to factors beyond the control of shippers and buyers, the data indicate clearly that they affected import patterns. Unfortunately, port officers were casual about listing the point of origin of African cargoes, a practice that now hampers precise geographical identification. Seventeen of the thirty-eight vessels that entered Maryland from Africa between 1750 and 1773 were listed as clearing from either Africa or Guinea. Since both names were applied to the entire west coast of Africa, it is impossible to determine just exactly where the cargoes of these vessels were loaded. In any case, these ships carried 2,695 slaves, or 42.8 percent of those who entered from Africa. Points of origin were given for twenty-one of the thirty-eight ships that carried slaves from Africa. These data permit identification of the geographic regions of their slave cargoes (Table III). Fifty-two percent of the blacks were shipped from Senegambia. The Windward and Gold Coast areas provided 1,078 slaves, or 29.9 percent, carried in six vessels. Only two slave ships came from Angola,

TABLE III
Origin of Slaves Imported Into Maryland From Africa, 1750-1772

	Africa	Guinea	Gambia	Gambia & Senegal	Senegal	Wind- ward Coast	Wind- ward & Gold Coast	Gold Coast	Angola
1751		380 (1)							
1752	140 (1)								
1753		400 (1)							
1754								170 (1)	
1755									
1756	90 (1)								
1757									
1758									
1759	170 (1)		375 (2)					350 (1)	
1760	340 (2)								333 (1)
1761	280 (2)		340 (2)				170 (1)		
1762	170 (1)		170 (1)	170 (1)				80 (1)	
1763	170 (1)						188 (1)		315 (1)
1764					251 (2)				
1765									
1766	28 (1)								
1767			90 (1)						
1768	13 (1)					120 (1)			
1769									
1770	340 (2)		170 (1)		124 (1)				
1771	100 (1)				104 (1)				
1772	74 (1)				86 (1)				
Totals	1915 (15)	780 (2)	1145 (7)	170 (1)	565 (5)	120 (1)	358 (2)	600 (3)	648 (2)

() = number of ships

Sources: Donnan ed., *Documents*, IV, 48; Port of Entry Records; and *Maryland Gazette*.

whose blacks were less valued. The first transported 333 slaves, however, and the second carried 315, both cargoes substantially larger than the average Negro cargo (170) and suggestive of the higher costs entailed in shipping Angola slaves and the pressure to increase volume in an attempt to insure profits.

While thirty-eight slavers were importing 6,301 slaves directly from Africa, fifty-seven slave ships were entering Maryland from the West Indies (Table IV). Slavers from the islands, however, carried a total of about 430 slaves, or an average of 7.5 per ship.²⁶ Slave ships enroute to Virginia from the West Indies averaged 12.0 Negroes per vessel.²⁷ Obviously, West India ships trading in the Chesapeake carried slaves only as incidental parts of their cargo. This is well-illustrated by the seven slave ships that reached Maryland from the Caribbean in 1752. A single vessel transported slaves exclusively—all told thirty-seven; the other six ships carried rum, molasses, sugar, and salted beef.

Virginia's and Maryland's West Indian slave traffic were very much alike. Forty-seven percent of the Caribbean slavers entering Virginia came from Barbados; the figure for Maryland was 42 percent. Antigua supplied 13.4 percent of

TABLE IV
Origin of Slaves Imported Into Maryland From the West Indies, 1750-1773

An- guila	An- tigua	Bar- bados	Ber- mud a	Gren- ada	Guade- loupe & Mont- serrat	Nevis	St. Eus- tatia	St. Kitts	St. Mar- tin's	Listed as West Indies in general	
1750			31 (2)				5 (1)				
1751											
1752	2 (1)	43 (2)	29 (1)	1 (1)					11 (1)	1 (1)	
1753			11 (1)								
1754			53 (4)				2 (1)				
1755			1 (1)						8 (1)		
1756			7 (3)								
1757											
1758			2 (1)								
1759		2 (1)							13 (3)		
1760										2 (1)	
1761			16 (2)								
1762			1 (1)	1 (1)		1 (1)				"few" (1)	
1763			1 (1)								
1764		18 (1)	8 (2)								
1765							12 (1)		6 (1)		
1766			2 (1)		1 (1)						
1767		22 (2)		2 (1)					11 (1)		
1768			2 (1)						31 (2)		
1769		2 (1)	14 (1)								
1770			5 (1)							21 (1)	
1771			5 (1)						5 (1)		
1772									3 (1)		
1773								3 (1)	2 (1)		
Totals	2 (1)	87 (7)	188 (24)	4 (3)	1 (1)	1 (1)	19 (3)	3 (1)	90 (12)	2 (1)	22 + (3)

() = number of ships

Sources: Same as Table III.

the ships carrying slaves from the islands to Virginia and 12.3 percent of the ships transporting slaves from the islands to Maryland. Jamaica, however, proved an exception to the rule. Virginia records indicate that 11 percent of the West Indian slavers sailing to the colony cleared from Jamaica. Maryland records do not show a single clearance from that island.²⁸

A crucial consideration for slavers was the time of year that slaves reached the market, and by the eighteenth century the seasonal ebb and flow of the trade was set and established. During Maryland's slack season, the months from November to April, the slave trade was brought virtually to a halt. Because field labor was limited in bad weather, slaves acquired in the winter became an economic burden. And because the difficulties for blacks adjusting to the harsher climate of the American continent were aggravated by cold, slaves bought in the off-season tended to be a greater risk. Alert to this problem, planters were leery of winter purchases, and this naturally acted as a further detriment to winter sales. "Be very carefull in the choice," William Lux of Baltimore instructed his kinsman at Barbados when ordering slaves in the spring of 1764, "& see that you provide woollen cloaths for them to be given them when they come on the Coast." A slave captain expecting to reach American ports in 1701 was told by Royal African Company officials to proceed to the Chesapeake only if he could arrive between the first of May and the end of July. A landowner writing from London to approve the purchase of a fresh supply of slaves admonished his plantation steward "yt ye spring of ye year you look upon the best time of buying them by reason they will be well season'd before ye Winter." In 1751 a Virginia slave dealer offered this advice on the Chesapeake market: "Negroes will continue in demand till sept^r when the mornings & Evenings grow cool & in the Spring a choice parcel will come to a great Market."²⁹

As can be seen in Table V, peak black immigration coincided with the peak period of demand. Summer months saw the arrival of 4,074 of the 6,844 slaves who entered between 1750 and 1773. This was 60 percent of the total. Ninety percent of all slaves came to port in the six months between April 1 and October 1. Fifty-five of 113, or nearly 50 percent, of the slave ships entered during the summer months, and ninety-one, or 81 percent, entered between April and October. Vessels that came too early in the spring or that were delayed until the fall or winter months had difficulty selling their slaves.

Tonnage figures exist for more than half the Maryland slave ships, fifty-nine of 113 vessels, or 52 percent (Table VI). The slavers ranged in size from the 250 ton *Friendship*, a London vessel, to the seven ton schooner *Molly*, registered at Virginia. Smaller craft dominated the coastwise trade, larger ones were employed in voyages to the islands, and those using the direct African route were the largest of all.

Despite uniformities in the English-American slave trade, differences of a regional nature also were noteworthy. One of these differences was in the way in which the slave traffic was organized. Where there was little demand for slaves, and where the local markets were of little commercial consequence, colonial merchants themselves imported and sold slaves. English traders, both private firms and the Royal African Company, generally ignored the smaller northern markets. Thus, as slavery was introduced in Pennsylvania, it was

TABLE V

Number of Slaves Imported into Maryland From Region of Origin by Month and Season of Arrival, 1750-1773

Month and Season	British West Indies	Africa	Continental British America	England	Unknown	Totals
Winter	11 (3)	183 (2)	3 (1)			197 (6)
December	9 (2)	183 (2)				192 (4)
January	2 (1)					2 (1)
February			3 (1)			3 (1)
Spring	76 (12)	690 (3)			+ (1)	766+ (16)
March	2 (1)					2 (1)
April	17 (3)	380 (1)			parcel (1)	397+ (5)
May	57 (8)	310 (2)				367 (10)
Summer	156 (22)	3861 (24)	54 (6)	1 (1)	2 + (2)	4074+ (55)
June	11 (3)	602 (4)	1 (1)	1 (1)		615 (9)
July	46 (7)	1657 (10)	23 (4)		2+ "few" (2)	1728 + (23)
August	99 (12)	1602 (10)	30 (1)			1731 (23)
Fall	176+ (20)	1567 (9)	64 (6)		+ (1)	1807+ (36)
September	29 + "few" (10)	1227 (7)	58 (4)			1314 (21)
October	106 (6)	340 (2)	1 (1)		parcel (1)	447+ (10)
November	41 (4)		5 (1)			46 (5)
Total	419+ (57)	6301 (38)	121 (13)	1 (1)	2+ (4)	6844+ (113)

() = number of ships

Sources: Same as Table III.

Philadelphians who dispatched ships first to the islands for blacks and as demand grew and peaked in the early 1760s who then sent ships to Africa. New Yorkers dominated the slave trade into their colony also, owning and outfitting the slave ships and supervising the sale of new Africans.³⁰

The Chesapeake market, however, was sufficiently large to attract English slave dealers. They provided the bulk of the capital, investing it as might be expected in the transatlantic segment of the slave trade. London and Liverpool merchants were the most active in supplying slaves to Maryland. English merchants and commercial firms all made use of the factorage system. Planters and traders in Maryland acted as agents for the English firms, assuming responsibility for receiving slave cargoes and also arranging for freight, usually tobacco, for the return voyage. They were paid a commission for their services. Although Marylanders sometimes invested their own capital in African adventures, their primary role was as factors representing English mercantile houses.

Many of the colony's most respected and influential citizens served as commission agents. Among them were Samuel Chew, Robert Coudin, James Dick, William Fitzhugh, Edward Lloyd, and Stephen West, all of whom handled more than one slave cargo.³¹ Typically, factors advertised new slaves in the *Maryland Gazette*, inserting information on the place and terms of the sale. For the period 1750-1773 advertisements for thirty-seven slave cargoes have been discovered. An analysis of the advertisements with regard to place of sale makes it clear that Annapolis, Nottingham, Baltimore, Upper Marlboro and Lower Marlboro were favorite sites. Though there is no doubt slaves often were sold on board

TABLE VI
Tonnage of Slave Ships Entering Maryland by Region of Origin, 1752-1773

Year	Africa	British West Indies	Continental British America
1752	100 (1)	190 (2)	20 (1)
1753		50 (1)	50 (1)
1754		230 (2)	
1755		70 (2)	
1756	50 (1)	300 (3)	
—			
1758		160 (1)	
1759	180 (1)	340 (4)	
1760	120 (1)	50 (1)	7 (1)
1761	190 (2)	90 (1)	
1762	100 (1)	60 (2)	45 (1)
1763	165 (2)	35 (1)	20 (1)
1764	20 (1)	155 (3)	
1765		100 (2)	18 (1)
1766	25 (1)	70 (1)	
1767	70 (1)	100 (2)	
1768	205 (2)	75 (2)	
1769		86 (1)	
1770		50 (1)	
1771		115 (2)	
1772	45 (1)	30 (1)	100 (1)
1773		70 (2)	
Total	1270 (15)	2426 (37)	260 (7)
Average Total	84.66	65.567	37.14

() = number of ships

Source: Vaughan W. Brown, *Shipping in the Port of Annapolis, 1748-1775*, Sea Power Monograph Number 1 (Annapolis: United States Naval Institute, 1965), following p. 36.

ship, only four of the announcements indicate that this was the procedure. In four instances buyers were directed to the store, house, or warehouse of the factor. Buyers interested in the Africans imported on *Venus* in 1759 were informed that the sale would "begin at the Naval-Office, near *Cedar-Point*, opposite to *Hoe's Ferry*."³²

Without exception slave vendors accepted bills of exchange in payment for slaves, often stipulating that the bills be payable in London, an indication of the prominence of the London merchants in the Maryland slave trade. Current or paper money, sterling money, and tobacco were also commonly exchanged for slaves. Credit sales were as much a feature of the slave trade as they were of other types of commerce, with some dealers declaring that "reasonable terms" were available to planters.

The operation of the Maryland slave trade—the nature of the market, the relations of factors and English merchants, and the methods used in selling slaves—is brought into sharper focus through an inspection of the activities of two Maryland dealers, Thomas Ringgold and Samuel Galloway. As business partners they collaborated in the sale of several shiploads of slaves. In fact, they were Maryland's chief slave-selling entrepreneurs—selling more Negroes than

any of their competitors. Ringgold's residence at Chester Town on the Eastern Shore, and Galloway's home, Tulip Hill, near the West River on the Western Shore, made it convenient for them to work both sides of the Bay.

Galloway was importing slaves into Maryland as early as 1749. In August of that year he brought forty Negroes from Virginia on his schooner *Betsy*. A decade later the two men were bringing in small lots of slaves from the West Indies.³³ By 1760 they had established a solid business association that included selling slaves. As Ringgold told a correspondent, Galloway was "to be concernd with us in all Guinea Consin[ments]."³⁴ While the men invested part of their own capital in slaving expeditions, most of their slave business was on consignment.

James Clemens and Company of Liverpool, for example, sent the 120 ton ship *Jenny* to Maryland in 1760 with 333 slaves consigned to Ringgold and Galloway. *Jenny* arrived at Annapolis in early July with a cargo of Angola men, women, and children. The *Gazette* stated that the slaves would be sold beginning Monday, July 21, at South River Ferry for bills of exchange, sterling or current money. After ten days *Jenny* moved down the Bay to the West River where Galloway took charge of the sales. Some of the slaves were still unsold at the end of August, however, and Galloway continued to publicize their availability. Besides newspaper advertisements, two hundred handbills were printed for distribution among planters.³⁵

Such intense advertising campaigns were not unusual, though in this instance Ringgold's and Galloway's handbills were probably prompted by the competition they were facing from another slaver, the snow *Diamond*. *Diamond*, whose slaves were consigned to Charles Grahame and William Fitzhugh, had come to port about the same time as *Jenny*.³⁶ It is very likely that as a result of the coincidence of their ships both Ringgold and Galloway and Grahame and Fitzhugh were feeling the pressure of too great a supply and too small a demand. Maryland's fragile slave market was easily glutted, and when, in 1761, it looked as if three slavers would arrive simultaneously, Ringgold could barely contain his distress. "I suppose their Ship [Grahame's and Fitzhugh's] will be in before ours," he lamented, adding that he thought it "very mean" of them to take such consignments.³⁷ As it happened, the snow *Alexander*, consigned to Galloway and Ringgold by John Fowler and Company of Bristol, arrived just as their competitors were accepting a parcel of slaves imported on the snow *Africa*. To reduce competition the two vessels were taken to different locations. But *Africa*, in escaping *Alexander*, ran into *Hawk*, a slaver that arrived while *Africa's* cargo was being sold at Lower Marlboro. "The arrival of the Sloop Hawk from Gambia," Grahame wrote, "laid us under a necessity of getting Clear of all the African Cargoe by Saturday night."³⁸ Serving as a commission agent was no easy chore, and Maryland factors came to regard the slave trade as an especially precarious form of commerce.

Ringgold had grown apprehensive about *Alexander* weeks before her arrival. She had sailed from Bristol, he informed Galloway, "ye 11th Nov: they say for 320 slaves but don't say for what part of ye Coast . . . and they hope will be here by the middle of June."³⁹ *Alexander* entered Annapolis on July 30, 1761, six weeks behind schedule. The snow had met with disaster on the middle passage,

a "misfortune," it was termed: "... the Loss of so great a part of her Slaves. we had but 105 left alive to sell, 11 of them so bad we were glad to get £11 Ster. p Head for them, 6 of the 11 since dead and many of the others in very bad Condition."⁴⁰ Throughout the two weeks that *Alexander* was at West River, Ringgold devoted his time to disposing of her slaves. He reported in mid-August that "We sold 14 of the Negroes yesterday very well considering the Cond'n they were in. The wenches and 1 man at 60 each, 1 man £68, 1 Boy £60, Girls at £65, 2 sickly Girls cheap, the Maits Boy for £70, the small poor Boy died coming up. we have only The 2d Maits Fellow and 2 Girls hope they go today." Given the poor condition of the slaves, it was thought best "to get them off as quick as possible, and we refused no offers of a safe Man even upon 9 and 12 Months Credit ... it allway's helps a sale even of the best Slaves to give Cred't in some Instances and we can by such people get off the worst of the Slaves and enhance the price to keep it up more than Interest of Money considerably."⁴¹

Like several other colonies, Maryland placed duties on newly-imported slaves. The policy, begun in 1695, was a revenue-raising device that never seriously affected the flow of slaves. First set at ten shillings per head, the duty fluctuated during the 1700s.⁴² Slaves sold by Galloway and Ringgold were subject to the prevailing duty, of course. Stephen Bordley, the naval officer at Annapolis who collected the duties, was diligent in demanding prompt and full payment. Ringgold complained of his attention to the Negro duty, saying "I hate to be dunn'd." Ringgold's irritation, however, was something more than grumbling at the charges of government: he and Galloway were not always in a position to pay, as the law required, in advance of sales.⁴³

The Maryland slave trade was marked by the time and effort expended in keeping records and by the elaborate bookkeeping and accounting methods it employed. Credit sales, cash disbursements, and sundry expenses incurred in selling the slaves resulted in a complicated set of transactions. Then, too, Maryland's agents and traders were responsible for the lading of slave ships for the voyage home. Preparing for this leg of the voyage further complicated the tasks of the factors and made for burdensome paper work. Ringgold's and Galloway's announcement on July 31, 1761, of the approaching departure of *Jenny* gives some indication of what the intricacies of their record keeping must have been: "FOR LIVERPOOL directly, the Ship *Jenny*, *John Wilkinsen*, Master, lying in *West-River*, Will take TOBACCO at Ten Pounds *per* Ton, of General Liberty. Any Gentlemen inclinable to Ship, are desired to send their Orders to the Captain on board, *Samuel Galloway*, or *Thomas Ringgold*."⁴⁴

It is hardly surprising that the partners found themselves enmeshed in paper work that even they had trouble interpreting. Following the sale of *Alexander's* decimated cargo and of another lot of slaves shipped from Barbados in 1761, Ringgold wrote his partner: "If ... y^o Cou'd otherwise Spare a few Days with us and Could bring all y^r Guinea papers I shoud be very glad and we woud Settle all those Affair's we ought to do it nobody else coud understand it so well."⁴⁵

The terms under which the men sold slaves were spelled out in a letter to a Liverpool trader: "... our Terms for Sales and remittance are 8 p Ct. on Gross Sales to remit one half by the Ship the other half in 12 months. this is the Greatest Indulgence Stipulated and we have hitherto done much better." Earlier

a Philadelphia merchant was informed that 5 percent was acceptable "If he woud Stand by ye Risque and take ye Cash as fast as we woud receive it and take any sort of Money. . . ."46

In 1744, Henry Callister of Oxford, Maryland, in a letter to his brother in England, had summarized the opportunities attending a life at sea and in commerce. The African trade, he said, "is quite dangerous for Life or health, tho most profitable."⁴⁷ It is doubtful that Galloway and Ringgold would have agreed with this assessment. Though the partners were active and avid in encouraging shipments of slaves and though they missed no opportunity to turn as handsome a profit as possible, their private papers do not reveal commensurate returns. Ringgold complained to Galloway about "all the Trouble Loss and Disappointment we have had in Guinea schemes," and he asserted that "there are more disasters in those Voyages than any others whatever." In 1762, a year the partners believed would see a good slave market, no blacks on consignment were sent to them. "We seem very unluck[y]," Ringgold concluded, "in all our Guinea adventures."⁴⁸

An examination of the records of the slave trade in colonial Maryland leads to the judgment that compared to other New World outlets, such as Portuguese Brazil, Spanish America and the British Caribbean, Maryland's market was minor.⁴⁹ This conclusion extends to the slave trade of the entire Chesapeake Bay region, for the evidence makes clear that here also Negro imports were on a comparatively small scale. Maryland and Virginia together absorbed 18,895 Africans in the period 1750 to 1769. South Carolina, whose slave trade developed into the largest on the continent, accepted 36,669 slaves during these years.⁵⁰ But this figure, too, is minor when placed in the context of the total Atlantic slave trade.

Professor Curtin's charge that the slave traffic to English North America was peripheral to the main African immigration across the Atlantic takes on a new meaning when the dimensions of the traffic in the Chesapeake region are firmly grasped. But the accuracy of this charge should not prevent us from recognizing the significance of the colonial slave trade, its impact on mercantile life and economic development, and, not least, its ultimate creation, a slave society.⁵¹

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 13. William Hunt, a London merchant, testified before the Board of Trade on May 4, 1726, that "there are annually imported into Maryland between 500 and 1000 negroes." Donnan, ed., *Documents*, 4: 24-25. Slave imports for Virginia for the 1730s show 14,988 arrivals, and for the 1740s 11,142 arrivals. Klein, "Slaves and Shipping in Eighteenth-Century Virginia," pp. 385-86.
 14. Port of Oxford Entry Records, MHR; *Maryland Gazette*, July 8, 1746.
 15. See Donnan, ed., *Documents*, 4: 217.
 16. Port of Patuxent Entry Records, June 25, 1745 to January 5, 1757, MHR.
 17. As was pointed out, a problem exists in estimating the size of cargoes entering from Africa and recorded only in the *Maryland Gazette*, where they appear as "parcels" and "cargoes." The method used in calculating cargo size was as follows:
 - a. The number of slaves entering on African vessels where the exact cargo size was recorded (a total of 3398) was divided by the number of slave ships (20) to obtain an average—169.9 slaves.
 - b. Eleven instances exist of duplicate entry records, one in the Port of Entry Records (where entries include cargo size) and the other in the *Gazette*, where the announcement referred to a "parcel" or "cargo." The average cargo of these eleven vessels was 171.5.
 - c. With two sets of figures in close agreement, a cargo size of 170 slaves has been used in all cases where the exact number of slaves was unknown.

This figure (170) seems reasonable when checked against Virginia data. Average cargo size of Africa-originated ships arriving in Virginia between 1727 and 1769 was 199.4 slaves; average tonnage of these slavers was just under 91 tons. (See Klein, "Slaves and Shipping in Eighteenth-Century Virginia," pp. 387, 389, note C.) Average tonnage of African ships reaching Maryland (1752-1772) was 84.66, which would suggest slightly smaller cargoes into Maryland. See Table VI.
 18. Klein, "Slaves and Shipping in Eighteenth-Century Virginia," p. 386.
 19. A total of 5,787 plus one cargo listed as carrying a "few" slaves from the West Indies, and three slavers the origins of whose cargoes are unknown, two listed as "parcels" and one listed as a "few." See Table V.
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Criminal Justice and Loyalists in Maryland: *Maryland v. Caspar Frietschie*, 1781

Ed. by PETER G. YACKEL

THE RECORD OF THE PROSECUTION OF LOYALISTS FOR TREASON DURING THE American Revolution is one of substantial justice done. The proceedings against criminally accused Loyalists were convened in an environment where political dominion was, potentially, a paramount factor in judicial conduct. Such proceedings were beset by the problems that the war had created, including the need to determine the forms of governmental organization, irregular judicial sessions, and imminent and actual military operations in the neighborhood. Although they were conducted amidst adverse conditions, these proceedings against Loyalists were administered according to the principles and practices of settled law.

The records of numerous cases of traitorously accused Loyalists prosecuted by the several states during the Revolution document the regular and legal character of those proceedings. Yet few demonstrate more clearly the rational dispensation of justice according to established law and judicial procedure than that of *Maryland v. Caspar Frietschie et al.* for treason in 1781.¹ The Maryland judicial proceedings were governed, substantively and procedurally, by the English common law of treason adapted and incorporated into the state law of treason.

The origins of the American law of treason were national.² The law derived from the experience of the Continental Army from June 1775 to June 1776. The Second Continental Congress formed it substantively in a resolve, passed June 24, 1776, in which it defined allegiance to and treason against the colonial governments.³ From the moment the Congress passed this *de facto* declaration of independence, acts of amity or allegiance done to the Crown of Great Britain by persons described in the resolve were criminal. The Declaration of Independence which followed in July and the consequent assumption of sovereign authority by the Second Continental Congress provided *de jure* sanction for the treason resolve of June 24, and encouraged the legislatures of the several states to classify acts disloyal to or unfriendly to the state governments as criminal and to prescribe procedures for the prosecution of criminally accused Loyalists.

Nearly coincidental with the Declaration of Independence, the several state legislatures began the process of statutory definition of the substantive nature of treason.⁴ They followed the lead of the Second Continental Congress and defined treason in terms of the principal heads of the common law of treason: levying war and adhering to the enemy, giving aid and comfort. Most of the

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states provided that persons accused of treason should be tried at a regular session of its superior court whenever possible. When the imminence of battle or the presence of troops in the field necessitated the suspension of regular judicial process, the states resorted to extraordinary measures. Three methods were available: 1) courts-martial, 2) bills of attainder, or 3) special commissions of Oyer and Terminer.

A statement of the prominent characteristics of the special commission of Oyer and Terminer here is appropriate because not only did various other states have recourse to it periodically, but also it was the principal device which the government of Maryland employed to hear and determine treason proceedings in extraordinary circumstances.⁵ The colonial governments had occasionally issued this commission to determine both political and ordinary criminal cases.⁶ During the Revolution it was issued to facilitate the conduct of ordinary criminal proceedings in the absence of regular judicial sessions. The commission of Oyer and Terminer was particularly suited to this purpose because it could be issued any time at the discretion of the governor, it afforded a choice of judges, and it could be issued to convene a court between terms of the circuit or when the regular judicial processes in a particular jurisdiction were suspended.⁷ Consequently, it served local needs where the public safety, the deteriorated condition of the jail, or the undesirable detention of a prisoner charged with a nonbailable offense for an extended period warranted a speedy trial.

In the months that followed independence the state legislatures defined statutorily the procedural rights of the second traitor as well as the substantive law of treason. Manifesting a tendency to secure in the law the rights of the criminally accused, the states incorporated the procedural rights of the common law into their statutory prescriptions. In English law, the Trial of Treasons Act of 1696 had established the procedural rights of a person accused of treason.⁸ All of the states appropriated the procedures ordained by that act entirely or selectively and, constitutionally or statutorily, incorporated them into their law.⁹ In some areas, particularly in their prescriptions of punishment for treason, the state laws superseded the English law. All of the states prescribed death by hanging and forfeiture of estate as punishment for a conviction of treason. None of them incorporated the common law punishment of hanging, disemboweling, decapitation, and quartering. Several of them prohibited forfeiture from working corruption of the blood (i.e., descending to the convict's family) and conditioned its execution to prevent a convict's dependents from being left desitute as a consequence of execution of sentence against him.¹⁰

Treason in the American Revolution was a concomitant of battle. The revolutionary governments prosecuted many accused traitors in the wake of British evacuation from a particular area. The retreat of the Continental Army from Long Island and its counterattacks in New Jersey produced the first extensive treason prosecutions in the Revolution. These proceedings established a pattern of numerous arrests and commitments and few convictions and executions.

The strategic position of New York made it a potential or real battleground throughout the war. The imminence of attack, its vulnerable frontier and unsettled command, and the possibility of concerted action by the Loyalists in New York City with the British forces made treason a vital issue. Without a regular

government or an operative judiciary, the Provincial Congress in March 1777 authorized the army to conduct general courts-martial of accused disaffectors. It retained the ultimate authority for the execution of sentences passed against convicted dissidents with civilian counsel.¹¹ The first trials conducted by authority of this resolve were convened the following month. They, and subsequent proceedings, were conducted reasonably and observed closely by the provisional government.¹²

In Pennsylvania, Sir William Howe's occupation of Philadelphia during 1777-78 and a volatile western frontier created a situation similar to New York's.¹³ Faced with extraordinary circumstances, the provisional government of the commonwealth proceeded against criminally accused Loyalists by courts-martial, bills of attainder, and general commissions of Oyer and Terminer. In circumstances conducive to taking vengeance and retribution, most of the accused traitors received regular judicial process.¹⁴ The glaring exception to this rule is the attainder of thirteen specific, prominent Loyalists by the Confiscation Act of 1778.¹⁵ This process was politically contrived to prosecute particular elite individuals of the political opposition (who were beyond the reach of ordinary judicial process) in order to secure their estates for the government of the commonwealth.

Treason in the Chesapeake region and in the southern states was also related to nearby military campaigns. Prosecutions for treason were regular, and whenever possible were conducted at normal judicial sessions. Otherwise, special sessions convened and proceeded according to statutorily prescribed legal procedures.¹⁶

The records of treason proceedings in the several states reveal the application of the substantive law. The records also show that such proceedings were conducted according to the statutory prescriptions which guaranteed the accused his procedural rights. They demonstrate clearly that judicial disposition and executive authority mitigated the severity of the substantive law. The military activities of the war produced wholesale arrests and commitments on charges of treason. Subsequent hearings reduced the number of indictments formed, and consequent trials produced still fewer convictions. Many of the convicts received pardons; few were executed. Written in an environment conducive to persecution, the record of treason proceedings in the states during the Revolution is not one of political purge or vindictiveness. It is one of rational process administered according to the rule of law. The result was substantial justice dispensed.

Maryland made a significant contribution to this record for its treason proceedings were governed according to settled rules derived from the common law. Initially, the General Assembly established allegiance to and treason against the state on a statutory foundation.¹⁷ Substantively, it appropriated the common law definition that the treason statute of Edward III had declared. It statutorily defined treason as levying war or adhering to the enemy. It did not subscribe strictly to the form of the Edwardian statute and define treason as adhering to the enemy, giving aid and comfort; rather, it defined treason as adhering to the enemy or affording aid or comfort. The statutory definition of treason was a relatively direct process; interpretation of that definition was not. Maryland adopted the common law. Authorizing a resort to judicial precedent, the legislature ordained that: "the several crimes aforesaid shall receive the same construc-

tion as have been given to such of the said crimes as are enumerated in the statute of Edward the third commonly called the statute of treasons."¹⁸

Maryland derived its rules of procedure for treason trials from the English Trial of Treasons Act. It incorporated the procedural rights of the accused which that act had prescribed into the law of the state by fundamental and positive law. The Declaration of Rights¹⁹ guaranteed that a person criminally accused in Maryland was entitled to: 1) information of the accusation against him, 2) have a copy of the indictment or charge against him in due time to prepare for his defense, 3) counsel, 4) be confronted with the witnesses for the prosecution, 5) call witnesses in his defense and have compulsory process for their appearance, and 6) examine, upon oath, witnesses for and against him. In addition, a defendant in a treason trial in Maryland was entitled to a speedy trial by an impartial jury with conviction by a consensus verdict.

Statutorily, the Maryland legislature adopted additional rules of English criminal procedure. It passed an act that declared a person charged with treason could be convicted by confession only if the confession were given willingly and without compulsion in open court. The same act provided that, to be valid, an indictment for treason must be brought within three years of the commission of the alleged act. The General Assembly incorporated the concept of the two-witness rule of evidence at common law into the criminal law of the state in a more critically defined form than the Trial of Treasons Act had declared. It statutorily ordained that a jury could convict an accused traitor only upon evidence given by the testimony of two lawful witnesses to each act of treason charged in the indictment.²⁰ Hence Maryland pursued a moderate policy in its prosecution of accused traitors. The courts commissioned to try indictments for treason conducted their proceedings regularly and formally in precise adherence to criminal procedures derived from the common law.

The trials of Caspar Frietschie and six other men on indictments for treason at Fredericktown, July 6, 1781,²¹ were a consequence of British military activity during the previous spring. Lord Cornwallis's march to Virginia in late April and the threat that he and General Sir Henry Clinton might coordinate a campaign into Pennsylvania concerned Marylanders with the dual possibilities of imminent military activity in the state and of the ultimate re-establishment of royal hegemony in America.²² The British activity also galvanized Maryland Loyalists into active participation in the British strategy. In Frederick and Washington counties several Loyalists, including the membership of an organization directed by Caspar Frietschie, proceeded to procure and enlist a number of local men into the service of the Crown under the command of General Clinton. Their activities proceeded apace for several weeks until an officer of the Maryland militia, Captain Christian Orendorff, entered their confidence and informed the Council of Safety of their activities.²³ The Council minutes of March 9, 1780, record that a warrant had been issued to a lieutenant of the Washington County militia, Thomas Sprigg,²⁴ to arrest Frietschie and four associates as disaffected persons.²⁵ Sprigg executed the warrant and had Frietschie and the others in his custody by mid June.²⁶

Others were arrested and stood trial at Fredericktown for whom no warrant or record of a warrant is extant. Most of them had recruited and enlisted men

under commissions from General Clinton during May 1781.²⁷ Quite likely they were arrested a few days after Frietschie.

On June 1, 1781, Governor Thomas Sim Lee issued a special commission of Oyer and Terminer and Gaol Delivery to convene a court at Fredericktown on July 6.²⁸ A special commission was issued in this instance for the want of a regular circuit and because the General Court was in vacation. Its issuance was neither an attempt to dispense retributive justice nor a desperate resort to an emergency measure because regular judicial process had been suspended. Its intention was prompt judicial determination of the issue according to settled law and regular procedures.

The commission of Oyer and Terminer had a substantial history in Maryland. It had been issued in both general and special forms, periodically, near the end of the seventeenth century and continuing into the eighteenth when local circumstances advised prompt determination of a criminal allegation and the absence of a regular circuit or the vacation of the Provincial Court made determination by a regular judicial agency impossible. These early commissions were quite formal. Imitating the essence of their English counterparts, they granted authority to conduct judicial inquiry, take indictments, and hear and determine the indictments presented.²⁹ They also had similar jurisdiction. Early usage in Maryland was limited, generally, to trying indictments for murder and criminal informations for alleged violations of the Navigation Acts.³⁰ On two instances special commissions were issued to try cases of treasonous words and activities in 1716.³¹

In October 1723 the General Assembly created a regular circuit jurisdiction for the province;³² consequently, it established the authority of the judges of Oyer and Terminer and Gaol Delivery on a regular basis. The circuit court system in provincial Maryland experienced a stormy life. The act that established it was supplemented, continued, and re-enacted subsequent to expiration periodically during the ensuing forty years.³³ Its last enactment occurred in 1766; it expired, finally, three years later.³⁴

During the forty-six-year life of the regular circuit jurisdiction, the General Commission of Oyer and Terminer and General Gaol Delivery superseded the special commission in most instances. On occasion, however, special commissions were issued to provide speedy determination of cases where the condition of a local jail or other reason made prolonged detention of a prisoner undesirable.³⁵ After a regular circuit was established statutorily for the province, special commissions were issued to authorize proceedings on additional ordinary crimes including burglary,³⁶ rape,³⁷ and breaking and entering.³⁸

The termination of the regular circuit in 1769 resulted in the use of special commissions when the superior judiciary was in vacation. As a result, four years before the trial of Caspar Frietschie, a special commission was issued to dispense justice on the Eastern Shore. When, in 1777, the insurrections in Somerset and Worcester counties resulted in the preferment of several bills of indictment for treason, the governor issued special commissions of Oyer and Terminer, initially for Queen Anne's County, subsequently for Talbot County to prosecute them.³⁹

The special commission of Oyer and Terminer and Gaol Delivery that authorized the court at Fredericktown in July 1781 was in the form of the commission

historically used both at common law and in the provinces, regularly and specially, to create circuit jurisdictions. As a result of the conditions incident to the Revolution, it was issued by attestation of the governor, rather than by authority of the General Court.⁴⁰

The special commission possessed the advantage of permitting the issuing agent to choose the judges it authorized, men who need not necessarily be lawyers, but persons "learned in the law." This fact notwithstanding, Governor Lee adhered to the common law practice of nominating superior court judges to go into the country and sit with the local justices of the peace to determine local judicial business. He nominated the chief judge and one puisne of the General Court, three justices of the peace for Frederick County, and one judge of the Frederick County Orphans Court to hear the indictments found.⁴¹ All of the nominees were present at the Court except the chief judge of the General Court.⁴²

The commission commences with a statement of the locality within which the court that it had authorized possessed jurisdiction. It states the dates of issuance and effectiveness and declares the authority by which it issued. After declaring that the judges hold their authority under the great seal of Maryland, the commission confers the authority necessary to try the indictments. It empowers the judges to deliver the jail of the prisoners, conduct judicial inquest into the bills of indictment preferred, and to hear and determine the indictments found. The commission succeeds its declaration of authority with the charge of jurisdiction over the offenses enumerated. The charge was a precise statement of the crime to be inquired of, similar to the common-law commission in form. The commission authorizes the court convened with jurisdiction over "any Treason, misprision of Treason, Insurrection or high and dangerous Misdemeanor. . . ." It concludes with the formularies of the common-law commission that authorized the court to proceed against anyone involved with the offenses described in the commission, and attendant circumstances notwithstanding. It invests the court with jurisdiction over the said offenses "by whomsoever or howsoever had made done or committed. . . ." The commission concludes with a pronouncement that the law of the state constitutes the authority which governs the conduct of the proceedings. The commission authorizes the judges "to enquire by the Oath of good and lawfull men . . ." into the bills of indictment preferred. Consequently, the Court ordered the sheriff of Frederick County to return a list of prospective nominees to serve as a jury of inquest. The sheriff returned a list of twenty-two names; the Court swore the men as a grand jury and charged them "to enquire for and on the part and behalf of this State touching and concerning the premises in the said Letters patent mentioned—."

The bill of indictment that the special prosecutor, Baker Johnson, preferred to the grand jury against Caspar Frietschie charged him with high treason according to the state law for allegedly having adhered to, aided and comforted the enemy. The essence of the bill parallels the common law form closely enough to demonstrate the influence of the latter on the Maryland form. It documents clearly the attempt by the state to proceed judicially according to regular criminal procedures in the volatile, unstable environment of the Revolution.

The bill was formed carefully. It charged three acts of treason. The bill of each charge is drawn according to the tripartite form of a bill of indictment valid at common law.⁴³ The first contains a commencement, statement, and conclusion. The second and third begin with a continuation of the commencement signified by the words "And the Jurors aforesaid upon their Oath aforesaid do further present. . . ." Like the first charge, each contains a statement and a conclusion.

The commencement of the bill purposes to establish the jurisdiction of the Court over the offense that it was to try. It consists of a statement of venue, a declaration of the locality over which the Court possessed jurisdiction. The commencement demonstrates the ancient theory that the knowledge of the court and grand jury are coextensive. The sovereign commissioned its judges to go into a particular locality to learn what crimes had been committed there. The grand jury, from its local knowledge, provided them with the information necessary to proceed judicially.⁴⁴ The bill of indictment that the prosecution preferred to the grand jury of Frederick County against Caspar Frietschie applied this rule. It clearly states that the jurisdiction of the court which the special commission authorized was the "Western Shore of the State of Maryland, Frederick County," and that the grand jury "for the Western Shore of the State of Maryland . . ." provided the information required by the Court.

The bill of indictment proceeds from the commencement to the second part of a common law bill of indictment, the statement. The statement defines the offense charged in the indictment, declares the ingredients and identifies, positively, the defendant and injured parties. The ingredients of the crime included the facts and circumstances attendant to its commission and its intent. For a bill of indictment to be valid, the law required it to identify the defendant clearly and positively by publishing his correct name, residence, social status, and occupation. Furthermore, a valid bill had to charge the defendant nominated, directly and clearly, with having committed the offense named. Finally, the common law rules of procedure required that each material fact averred in the bill of indictment had to be alleged to have been committed at a particular time and place. This "special venue" was usually referred to in the indictment by the words "then and there" following each averment subsequent to the first.⁴⁵

The statement of the bill of indictment against Frietschie conformed to these essentials. It does not mention his station in life, the absence of which implies his vulgarity. Closely associated with the identification of the accused is a statement of his citizenship. This declaration enabled the state to establish the fact of the defendant's allegiance. The bill then states the premeditated nature of the offense and its subversive and destructive intent. Next, it identifies the party alleged to have been injured by the commission of the act alleged. It charges that the sufferers of the act described were "the faithfull Citizens of this State. . . ."

The statement proceeds from its personal identification of the parties to a definition of the charge and its ingredients. The statement of the first of the three acts charged declares that the defendant acted traitorously by having adhered to the enemy. It follows its definition of the treasonous act with a

statement of the date and place of its occurrence. It established the criminality of the act by the formulary that anciently had established the criminal nature of an act and had transferred the responsibility for its remedy from the individual aggrieved to the state in the common law writ of trespass *vi et armis*.⁴⁶ It asserted that Frietschie had acted "with Force and Arms . . . ;" consequently, he had committed a criminal act and the state was obligated to prosecute him.

The statement then publishes the circumstances of the act alleged by identifying the enemy by name and authority and defining its status. It terminates with a definition of the charge. It states that the accused adhered to the enemy by "procuring for and enlisting in the Service of the said King of Great Britain . . . [a] certain Henry Nichodemus and one Jacob Cost and administering an Oath to [each]. . . ."

From its statement, the bill of indictment proceeds to its conclusion, which declares the lawful authority the defendant violated when he committed the criminal act charged in the indictment. It recapitulates the nature of the offense. The conclusion of the bill preferred against Frietschie demonstrates the reception of the common law forms of criminal procedure into the law of Maryland, the statutory declaration of that process, and the judicial incorporation of the forms into its criminal proceedings. At English law, if the offense charged were a crime at common law, the formulary employed to demonstrate the authority contravened was "against the peace of our Lord the King, his crown and his dignity. . . ." Were the offense contrary to statute law, the proper designation was "against the form of the statute in that case made or provided."⁴⁷ The conclusion of the bill against Frietschie adheres closely to this form. It publishes that the defendant acted ". . . against the peace Government and Dignity of the State and Contrary to the Form of the Act of Assembly in such case made and provided."

The second and third charges specified in the bill were defined and the materiality of the attendant facts was averred according to the same prescribed form. The bill indicted the defendant, secondly, with having afforded comfort to the enemy and, thirdly, with having afforded aid to the enemy. The same facts were averred as material to these charges. The statements of each successive charge adhered to the common law rule that mandated that each material fact averred required a declaration of the time and place of its alleged occurrence. These statements of charge did not employ the traditional formulary significant of the special venue. Each stated the time and place that the act charged allegedly had occurred.

The grand jury presented the bill of indictment to the Court endorsed *bills vera*. The Court proceeded, according to the common law procedure, to order arraignment. Frietschie and the prosecutor were called to the bar. When the defendant appeared the Court demanded "how of the premises aforesaid above on him imposed he would acquit himself." Possibly, the Court commanded of the defendant "How say you, are you guilty or not guilty?" The defendant acquitted himself by entering into the record a plea of not guilty. The record does not contain the Court's instruction in response to this plea; quite possibly it was "Culprit how will you be tried?" The defendant apparently answered with

the ancient sacramental reply required at common law of a person accused of treason or felony, consequent to a plea to the general issue, "by God and my Country,"⁴⁸ because the record states that he put "himself upon the Country." The prosecutor, whom the record identifies precisely by name, station, and authority, having been called to the bar also, joined the issue and likewise put himself on the country for trial.

Subsequent to arraignment and consequent to the joining of the issue, the Court issued a precept to the sheriff of Frederick County to summon prospective jurors so the Court could impanel a petit jury to try the issue joined. The record does not indicate, explicitly, the process by which the sheriff summoned the prospective jurors. The form of the precept to the sheriff,

... that he immediately cause to come here twelve good and lawfull Men of this County by whom the matter will be the better known and who are not of kin to the said Caspar Fritchey to recognize a Verdict between the said State and the said Caspar Fritchey because as well the said Caspar Fritchey as the said Baker Johnson as aforesaid prosecuteth have put themselves upon the jury . . .

conforms sufficiently to the precept employed to command the issuance of the common law writ of *venire facias juratores*,⁴⁹ summoning prospective jurors, to imply that the same writ was issued to summon the prospects in this instance. The sheriff returned the list of jurors; the Court impanelled a jury of twelve men.

Since the record does not contain the material portions of the proceedings, one must deduce the nature of the hearing from collateral evidence. A letter written a month after the trial to Governor Lee, signed by the four justices of the peace from Frederick County who sat on the special court, indicates that the trial was conducted according to the Maryland statute of 1777 that had defined treason and had established the rule for its interpretation.⁵⁰ Evidently, the Court heard and determined the indictment on the dual assumptions that treason consisted of adhering to the enemy or giving aid or comfort to the enemy and that the common law was the guide by which the judges should interpret acts of treason. Neither the charges preferred nor the character of the testimony indicates that the Court availed itself of the constructions of the common law of treason in English law that the statute of 1777, theoretically, had authorized. No evidence exists to determine whether the Court applied the criminal procedures which the Declaration of Rights had guaranteed to a person criminally accused. Evidence indicates that it enforced those procedures statutorily guaranteed.

The available witness lists suggest that the Court applied the rule of evidence the Maryland statute of October 1777 had declared, requiring the testimony of two lawful witnesses to each overt act of treason charged in an indictment to convict a person accused of treason. One list names as witnesses for the prosecution the two persons (Henry Nichodemus and Jacob Cost) nominated in the indictment against Frietschie as having been procured and enlisted by the defendant into the service of the Crown, and the militia captain (Christian Orendorff) whose letter of information originally had motivated the Council of

Safety to issue a warrant for Frietschie's arrest.⁵¹ The second list includes the above three witnesses together with a second militia captain and a man named in the bill of indictment against another of the defendants, Peter Sueman.⁵² The latter list, to which the clerk of the court attested, states that the defendant had administered an oath or affirmation of allegiance to the King of Great Britain to Nichodemus and Cost.⁵³ This constituted the overt act which the prosecution charged the accused with having performed. The testimony of these witnesses to this act was sufficient to convict the defendant. The clerk attested that the testimony "in the opinion of the Court was sufficient full and clear to convict the offenders of the Charge laid in the Several and respective Indictments."⁵⁴ The jury was convinced as well; they returned a verdict of guilty as charged. The entire trial took place in a single day, July 6, 1781.

After the Court received the verdict, it remanded the convict into the custody of the sheriff until it should command his appearance at the bar for judgment and sentencing. The post trial proceedings provide further evidence of the influence of the common law on Maryland judicial practice. At common law, the rule of procedure for proceeding to judgment mandated an interval of four days between a verdict rendered and judgment and sentence passed to allow the defendant to move in arrest of judgment and to motion for a new trial. In felony proceedings at common law, this procedure assumed that defense counsel had raised a point of law.⁵⁵

The record of the proceedings against Frietschie indicates that the Court applied this rule. It does not include the date of judgment and sentencing; it does contain evidence, however, to indicate that the Court did not pass judgment and sentence on July 6, but that an indeterminate period elapsed between the trial and the Court's final disposition of the case. It states that Frietschie was committed to the custody of the sheriff "there to remain & so forth" and, subsequently, that "at the Day and place aforesaid, the said Sheriff is ordered to set the said Caspar Frietschey at the bar of the Court herewith he doeth accordingly. . . ."

When the convict was set at bar for judgment and sentencing, the Court employed the *allocutus* invoked in proceedings at common law prefatory to a motion in arrest of judgment at which time the Court afforded the convict an opportunity to proffer reasons for an arrest.⁵⁶ Having commanded the prisoner to be set at bar the Court demanded "what for himself he knoweth or can say why the Court here ought not to proceed to Judgment against him to Die according to the Law." The prisoner replied with nothing material, but restated his plea. The Court then passed judgment and sentence.

The Maryland treason statute of 1777 ordered that a convicted traitor should "suffer death without benefit of clergy, and forfeit all the estate which he had at the time of the commission of the crime to the use of the state."⁵⁷ The simple, declaratory nature of this prescription indicates that the legislature intended that a convicted traitor should suffer execution by simple hanging. The judges of the special court at Fredericktown apparently extended the proviso in that statute which permitted judges to construct their interpretations of the definition of treason on precedent to include punishment as well. They passed the ancient

common law sentence for treason against Frietschie and the six other convicts. The sentence passed against Frietschie is representative of those passed against all of the convicts. It ordered

that the said Caspar Fritzschey [*sic*] be carried to the Gaol of Frederick County and there be drawn to the Gallows of Frederick Town and hanged thereon that he be cut down to the Earth alive that his Entrails be taken out and burnt while he is yet alive that his head be cut off and his Body divided into four parts and that his Head and Quarters be placed where his Excellency the Governor Shall direct or appoint.

The common law sentence was not executed against any of the convicts. Several persons expressed revulsion toward the ancient sentence in letters and petitions addressed to the governor. In addition, Attorney General Luther Martin addressed a letter to him advising clemency.⁵⁸ Governor Lee responded to this demonstration of repugnancy by commuting the sentences to simple hanging. On August 9, 1781, he issued four executive orders to the sheriff of Frederick County commanding him to take the prisoners on or before the date specified in each of the orders and

them safely convey to the Gallows in the County aforesaid the common Place of execution of Malefactors and there the said . . . convicts severally hang by the Neck on the said Gallows until they be dead, forbearing to execute any other Part of the said Sentence of the Court aforesaid. . . .⁵⁹

Warrants of execution issued August 11 for Caspar Frietschie and two of the other convicts to be hanged seven days later.⁶⁰ Subsequently, the governor responded once more to popular and official sentiment⁶¹ and pardoned the four surviving convicts.⁶²

THE RECORD⁶³

State of Maryland Frederick County To Wit

At a Special Court of Oyer and Terminer and Gaol Delivery begun and held at Frederick Town in Frederick County on the Western Shore of the State of Maryland on Friday the sixth Day of July in the Year of our Lord one thousand seven hundred and eighty one pursuant to Letters patent under the Great Seal of the said State bearing the date the first Day of June in the Year aforesaid and directed to the Honorable Robert Hanson Harrison and Alexander Contee Hanson Esquires and Upton Sheredine James Johnson, William Murdock Beall and Philip Thomas Gentlemen any three or more of them in and thereby nominated and Assigned Justices to deliver the Gaols [*sic*] of Frederick and Washington Counties of the prisoners of the said Gaols [*sic*] or any or either of them being, for any Treason, misprision of treason Insurrection or any high and dangerous Misdemeanors against this State and the Government thereof had made done or committed in any or either of the said Counties. And also to enquire by the Oath of good and lawfull Men of the said County of Frederick by whom the Truth of the matter may be better known of all manner of Treason, misprisions of Treason, Insurrections or high and dangerous misdemeanors against this State and the Government thereof, by whomsoever or howsoever had made done or committed in any or either of the Counties

of this State on the Western Shore thereof and the same Treasons and other the premises for this time, to hear and determine according to the Laws of this State.

Were present

The Honourable Alexander Contee
Hanson Esquire

and

Upton Sheredine, James Johnson

Gentlemen

W^m Murdock Beall and Phil Thomas

Nominated and Assigned as aforesaid Justices of the same Court Christopher Edelen Gentleman Sheriff of Frederick County. And William Ritchie who by the Commission of Oyer and Terminer is constituted clerk of the same Court

Among the Records and proceedings of the same Court are the following to Wit

State of Maryland

against

Caspar Fritchey

Be it remembered that by the Oath of William Beatty, William Duvall Sen and Samuel Flemming, Thomas Hawkins, Arthur Nelson, Joseph West, Joseph Guynn, Thomas Fraser, William Magruder, Thomas Darnall, William Luckett Jun Joseph Beall, Nathan Hammond Michael Raymer, James Ogle, John McAlister, William Winchester Jun James Wells, Charles Warfield, Ralph Hillery, Richard Simpson Sen and William Hall good and lawfull men of the said County of Frederick being then and there Sworn and Charged to enquire for and on the part and behalf of this State touching and concerning the premises in the said Letters patent mentioned—It is presented that the following Bill of Indictment is a True Bill To Wit:

Western Shore of the State of Maryland Frederick County To wit The Jurors for the Western Shore of the State of Maryland upon their Oath do present that Caspar Fritchey⁶⁴ late of Frederick County in the State aforesaid Skindryer on the sixth day of February in the Year of our Lord one thousand seven hundred and seventy seven being and ever since being continuing and being a Subject and Inhabitant of this State he the same Caspar Fritchey not at all regarding the Allegiance and Duty due and owing by him to this State nor fearing the Laws of this State or the pains and penalties therein contained but most wickedly and Traiterously minding and intending to subvert and destroy the Independence of these United States and the Governments therein established and to bring these United States under the power Government and Dominion of the King of Great Britain and to induce and bring miserable Ruin destruction and Slaughter on the faithfull Citizens of this State and the same Caspar Fritchey on the sixth Day of April in the Year of our Lord one thousand seven hundred and eighty one with Force and Arms in the said County of Frederick on the Western Shore of the State aforesaid falsely feloniously and Traiterously did adhere to Sir Henry Clinton and to the Troops under

his command he the same Sir Henry Clinton then and still being an Officer of the said King of Great Britain and then and still commanding a great number of Troops of the said King of Great Britain and the said Sir Henry Clinton and the Troops aforesaid by him commanded then and ever since being enemies of this State and all others of these United States and being in the Service of Great Britain against the said United States in the War then and for a long time still carried on by Great Britain against these United States To wit in procuring for and enlisting in the Service of the said King of Great Britain at Frederick County aforesaid on the Western Shore of the State aforesaid [a] certain Henry Nichodemus and Jacob Cost respectively to bear true allegiance to the said King of Great Britain and Support him and to Obey his Officers when called on contrary to the Allegiance due from and owing by him the said Caspar Fritchey to this State against the peace Government and Dignity of this State and contrary to the Form of the Act of Assembly in such Case made and provided. And the Jurors aforesaid on their Oath aforesaid do further present that the said Caspar Fritchey on the fifth day of February in the Year of our Lord one thousand seven hundred and seventy seven and ever since being and continuing a Subject and Inhabitant of this State he the same Caspar Fritchey not at all regarding the Allegiance and Duty due and [sic] from and owing by him to this State nor fearing the Laws of this State or the pains and penalties therein contained but most Wickedly and Traiterously minding and intending to Subvert and destroy the independence of these United States and the Governments therein established and to bring these United States under the power Government and Dominion of the King of Great Britain and to induce and bring miserable Ruin Destruction and Slaughter on the faithfull Citizens of the State he the same Caspar Fritchey on the same Sixth Day of April in the Year of our Lord one thousand seven hundred and eighty one with Force and Arms in the said County of Frederick on the Western Shore of the State aforesaid falsely feloniously and traiterously did afford Comfort to Sir Henry Clinton, and the Troops under his command, he the same Sir Henry Clinton then and still being an officer of the said King of Great Britain and then and still commanding a great number of the troops of the said King of Great Britain and the said Sir Henry Clinton and the said Troops by him commanded then and ever since being Enemies of this State and all others of these United States and being employed in the Service of Great Britain against the said United States in the War then and for a long time still carried on by Great Britain against these United States to Wit In procuring for and enlisting in the Service of the said King of Great Britain at Frederick County aforesaid [a] certain Henry Nichodemus and Jacob Cost and administering

an Oath to the said Henry Nichodemus and Jacob Cost respectively to bear true Allegiance to the said King of Great Britain and to support him and obey his Officers when called on, contrary to the Allegiance due from and owing by him the said Caspar Fritchey to this State against the peace Government and Dignity of the State and Contrary to the Form of the Act of Assembly in such Case lately made and provided.

And the jurors aforesaid on their Oath aforesaid do further present that the said Caspar Fritchey on the fifth Day of February in the Year of our Lord one thousand seven hundred and seventy seven being and ever since remaining and being a Subject and Inhabitant of this State he the same Caspar Fritchey not at all regarding the Allegiance and Duty due from and owing from him to this State nor fearing the Laws of this State, or the pain and penalties therein contained, but most Wickedly and Traiterously minding and intending to Subvert and destroy the Independence of these United States and the Governments therein established and to bring these United States under the power Government and Dominion of the King of Great Britain and to induce and bring miserable Ruin Destruction and Slaughter on the faithfull Citizens of this State he the same Caspar Fritchey on the same Sixth Day of April in the Year of our Lord one thousand seven hundred and eighty one with Force and Arms in the said County of Frederick on the Western Shore of the State aforesaid falsely feloniously and traiterously did afford aid to Sir Henry Clinton and to the Troops under his command he the same Sir Henry Clinton then and still being an Officer of the said King of Great Britain and then and still commanding a great number of the Troops of the said King of Great Britain and the said Sir Henry Clinton and the said Troops by him commanded then and ever since being Enemies of this State and all other of these United States being employed in the service of Great Britain against the said United States in the War for a long time and still carried on by Great Britain against these United States to Wit in procuring for and enlisting in the Service of the said King of Great Britain [a] certain Henry Nichodemus and Jacob Cost respectively to bear true allegiance to the said King of Great Britain and to support him and to obey his Officers when called on contrary to the Allegiance due from and owing by him the said Caspar Fritchey to this State against the peace Government and Dignity of the State and contrary to the Form of the Act of Assembly in Such Case late made and provided.

Baker Johnson Prosecutor especially appointed by the Court and the said Caspar Fritchey being called appears at the bar of the said Court here under the Custody of the Sheriff of Frederick County to whose custody for the crime aforesaid committed he was heretofore committed and being

demande how of the premises aforesaid above on him imposed he would acquit himself says that he is not anywise guilty thereof and for Tryal thereof puts himself upon the Country and Baker Johnson Gentleman who for the State of Maryland in this behalf prosecuteth likewise

Whereupon for trying the issue aforesaid command is given to the Sheriff of Frederick County that he immediately cause to come here twelve good and Lawfull men of this County by whom the matter will be the better known and who are not of kin to the said Caspar Fritchey to recognize a Verdict between the said State and the said Caspar Fritchey as well because the said Caspar Fritchey as the said Baker Johnson as aforesaid prosecuth have put themselves upon the Jury. And the Sheriff aforesaid comes and makes return here that he hath ready Twelve and so forth as he was Comanded. To Wit George Scott, Thomas Schley, Christian Weaver, John Bruner, Jacob Schiller, James Beatty, Conrad Doll, Benjamin Johnson, John Jacob Schley, Conrad Gross, Abraham Staff and Jacob Boyer who being duly elected tryed and Sworn to say the Truth in the premises [*sic*]. Upon their Oath do say that the said Caspar Fritchey is Guilty of the premises in the Indictment aforesaid upon him imposed. Thereupon the said Caspar Fritchey is committed to the Custody of the Sheriff of Frederick County there to remain until & so forth [*sic*]. Who being present here in Court takes charge of him accordingly. Afterwards to Wit at the Day and at the place aforesaid, the Sheriff is ordered to set the said Caspar Fritchey at the bar of the Court here which he doeth accordingly; upon which the said Caspar Fritchey is by the Court here instantly demanded what for himself he knoweth why the said Court ought not to proceed to Judgment against him to Die according to the Law; *says nothing material* (who says nothing more, than, that he is not Guilty, as he said before.)⁶⁵ Wherefore it is considered by the Justices of the Court here that the said Caspar Fritchey be carried to the Gaol of Frederick County and there be drawn to the Gallows of Frederick Town and hanged thereon that he be cut down to the Earth alive and that his entrails be taken out and burnt while he is yet alive that his head be cut off and his Body be divided into four parts and that his Head and Quarters be placed where his Excellency the Governor Shall direct or appoint.

And thereupon the said Caspar Fritchey is committed to the Custody of the Sheriff of Frederick County aforesaid there to remain untill & so forth who being present takes Charge of him accordingly.

Test. Wm Ritchie Clk.

REFERENCES

1. The record is in the "Frederick County Treason Papers" (Ms 576), Maryland Historical Society, Baltimore, Maryland. Hereafter cited as *Fred. Co. TP*. I would like to thank Mr. P. William Filby, director of the Society, for his permission to reproduce this record for publication. I would

- like to thank Mrs. Nancy G. Boles, then curator of manuscripts for the Society, for searching this collection for me and providing me with photographic copies of the *Frederick County Treason Papers*.
2. Bradley Chapin, *The American Law of Treason, Revolutionary and Early National Origins*, (Seattle, 1964), pp. 29-38 (hereafter cited as Chapin, *American Law of Treason*). I wish to thank Professor Chapin for his advice and counsel in the preparation of this manuscript. I have relied extensively on his monograph in preparing the comparative portion of this introduction.
 3. Worthington C. Ford and Gaillard Hunt, eds., *Journals of the Continental Congress*, 34 vols. (Washington, D.C., 1904-37), 5: 475-76.
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 5. *Laws of Maryland*, February 1777, c. 16; Hening, *Virginia Statutes at Large*, 9: 387, Melville Dewey, ed., *Calendar of Council Minutes, 1668-1783*, (Albany, 1902), pp. 62, 163, documents the usage of the special commission during the colonial period. The constitution of 1777 provided that the law of the colony was the law of the state (Francis Newton Thorpe, ed., *The Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the States, Territories or Colonies, now or heretofore forming the United States of America*, 7 vols. [Washington, 1909], 5: 2635-36, hereafter cited as Thorpe, ed., *Federal and State Constitutions*).
 6. Julius Goebel, Jr., and T. Raymond Naughton, *Law Enforcement in Colonial New York, a study in criminal procedure, 1664-1776*, (New York, 1944), pp. 80-91 (hereafter cited as Goebel, *Law Enforcement in Colonial New York*).
 7. *Ibid.*, pp. 82-83.
 8. 7 & 8 William III. c. 3. The act had ordained that a defendant in a treason trial had the right to 1) a copy of the indictment against him prior to trial, 2) counsel, 3) present defense witnesses, 4) a copy of the jury panel prior to his trial, 5) compulsory process to produce defense witnesses,³ and 6) a trial by a jury of his vicinity and peers. It established as rules of evidence that 1) two witnesses to one overt act of treason or two witnesses to two different overt acts of treason were required to convict a person under indictment for high treason, and 2) that to be admitted as evidence, information introduced must pertain to acts of treason specified in the indictment.
 9. The Maryland appropriations are in Thorpe, ed., *Federal and State Constitutions*, 3: 1688, and *Laws of Maryland*, February 1777, c. 20 and October 1777 c. 20 sect. 29. See Chapin, *American Law of Treason*, pp. 41-44, for a discussion of the appropriations of English procedures by the several states.
 10. Chapin, *American Law of Treason*, pp. 45-46.
 11. New York, *Provincial Congress Journals*, 1: 856-57.
 12. *Calendar of Historical Manuscripts, Relating to the War of the Revolution, in the Office of the Secretary of State, 1775-1777*, Albany, N.Y. 2 vols. (Albany, 1868), 2. The cases are *New York v. Job Babcock*, pp. 86-88; *New York v. James Heutson et. al.*, pp. 196-231; *New York v. Anthony Hill*, pp. 86-88; *New York v. John Likely*, pp. 179-82; *New York v. Simon Mabee*, pp. 83-85; *New York v. Jacobus Rose, Jacob Middagh et. al.*, pp. 113-15; *New York v. Anthony Umans*, pp. 179-82 and *New York v. John Williams*, pp. 85-86.
 13. Chapin, *American Law of Treason*, pp. 54-55.
 14. *Pennsylvania v. John Elwood*, 1778, in Samuel Hazard et al., eds., *Pennsylvania Archives*, ser. 1, 10 vols. (Philadelphia, 1852-56), 7: 59 (hereafter cited as Hazard, ed., *Pa. Arch.*); See Chapin, *American Law of Treason*, pp. 56-58, for additional Pennsylvania cases.
 15. Dallas, *Laws of Pennsylvania*, c. DCLXXXIV, March 6, 1778.
 16. For treason trials in Maryland in addition to those held at Fredericktown July 6, 1781, see *infra*. p. 14 and n. 39. For a discussion of treason proceedings in Virginia, see Chapin, *American Law of Treason*, pp. 60-62.
 17. *Laws of Maryland*, February 1777, c. 20, sect. 2.

18. *Ibid.*
19. Thorpe, ed., *Federal and State Constitutions*, 3: 1688.
20. *Laws of Maryland*, October 1777, c. 20, sect. 29.
21. *Fred. Co. TP*. The six others were Nicholas Andrews, Washington County, weaver; Adam Graves, Washington County, farmer; John George Graves, Washington County, farmer; Yost Plecker, Washington County, farmer; Henry Shell, Washington County, wheelwright; and Peter Sueman, Frederick County, farmer.
22. William Hand Browne *et al.*, eds., *Archives of Maryland*, 7 vols. (Baltimore, 1883), 7: 328-30 (hereafter cited as *Archives of Maryland*).
23. *Ibid.*
24. *Ibid.*, 45: 227.
25. *Ibid.*, p. 467.
26. *Ibid.*, pp. 469, 482.
27. See the several bills of indictment in *Fred. Co. TP*.
28. See the special commission of Oyer and Terminer and Gaol Delivery in the record of *Maryland v. Caspar Frietschie*, *Fred. Co. TP*.
29. *Archives of Maryland*, 15: 357-58, contains an early form used in Maryland. For a form of common law commission see William Blackstone, *Commentaries on the Laws of England*, 1st. ed., 4 vols (Oxford, 1765-1769), 4: Appendix.
30. Joseph Henry Smith and Philip A. Crowl, eds., *Court Records of Prince Georges County Maryland, 1696-1699*, (Washington, D.C., 1964), p. xxi (hereafter cited as Smith, ed., *PGCCR*). Representative cases are in *Archives of Maryland*, 13: 337-39, *Maryland v. John Burton*, murder, 1692; 19: 383-84, trial of two Indians and a white woman, murder, 1696; 20: 589-91, 22: 3, *Maryland v. Charles of Topsham*, violation of Navigation Acts, 1696.
31. *Ibid.*, 30: 372-74, *Maryland v. Jacob Fox*; *Ibid.*, *Maryland v. William Fitz Redmond and Edward Coyle*.
32. *Ibid.*, 36: 565-68, "An act for the Tryal of all Matters of Fact in the Several Counties where they have arisen or shall arise, . . ."
33. *Ibid.*, Supplementary act passed in 1724 is at pp. 571-73; 1727 continuance is at pp. 85-86; 1732 re-enactment is in 37: 523-30; 1736 continuance is in 39: 496-98; 1747 re-enactment is in 42: 588-95.
34. *Ibid.*, 61: 75-82. Expiration is noted in 52: xxxvii.
35. *Ibid.*, 32: 117-18. Petition of John Granger, February 1766, to Council for issuance of a special commission of Oyer and Terminer to convene a special court when the Provincial Court was not in session. Granger, detained in the Dorchester County jail on a murder charge, prayed issuance for a speedy trial so he would not have to spend the winter in the jail, which he argued would be expensive and unhealthy. Council rejected his petition on the grounds that it was insufficient. Upon the petitioner's repetition, Council issued a special commission in April 1766.
36. *Ibid.*, 28: 302-3, Council minutes record action on execution of sentences passed at special Court of Oyer and Terminer, June 1743, *John Littleton*; pp. 136-37, May 1738, *James Mason and Mary O'Neil*; p. 144, October 1738, *James Woods*; p. 162, May 1739, sixteen year old slave boy; pp. 154-55, February 1738, *Ralph Jones* and Negro slave, *Isaac*.
37. *Ibid.*, pp. 501-2, Council action on sentences passed against Negro "Sharper," February 1750; p. 302, June 1743, *Cornelius Crowley*; p. 577, November 1752, Negro slave *Harry*.
38. *Ibid.*, p. 303, Council action on sentences passed against *William Ocstow* and mulatto slave *Jack*, June 1743.
39. *Ibid.*, 16: 256, 308, 463. See also Chapin, *American Law of Treason*, pp. 59-60. The cases are *Maryland v. James Chalmers* (1778, 1780); *Maryland v. Daniel Daly* (1778); *Maryland v. James Frisby* (1780); *Maryland v. John Sterling* (1779); *Maryland v. Edward Sutton* (1778) and *Maryland v. John Tims* (1778).
40. *Laws of Maryland*, c. XVI, April 1777, "An Act to enable the governor to issue commissions of Oyer and Terminer and Gaol Delivery in certain cases."
41. *Archives of Maryland*, 43: 6, 16; *ibid.*, 45: 349.
42. See commission in record, *Maryland v. Caspar Frietschie*, reprinted below. All references in the text will be drawn from the record as here reprinted.
43. James Fitzjames Stephen, *A History of the Criminal Law of England*, 3 vols. (New York, 1883), 1: 275 (hereafter cited as Stephen, *History of English Criminal Law*).
44. *Ibid.*, 1: 276.
45. Stephen, *History of English Criminal Law*, 1: 280-81.
46. William S. Holdsworth, *History of English Law*, 7th ed., rev., 16 vols. (London, 1956), 4: 531.
47. Stephen, *History of English Criminal Law*, 1: 282.
48. Stephen, *History of English Criminal Law*, 1: 297-98.

49. Smith, ed., *PGCCR*, p. 1 xxvii.
50. Letter to Governor Lee from Upton Sheredine, James Johnson, William Murdock Beall and Philip Thomas, 6 August 1781, *Fred. Co. TP*.
51. Unattested witness list, no date, *Fred. Co. TP*.
52. Witness list, attested to by William Ritchie, clerk, special court of Oyer and Terminer and Gaol Delivery, no date, *Fred. Co. TP*.
53. *Ibid.*
54. *Ibid.*
55. Goebel, *Law Enforcement in Colonial New York*, p. 696.
56. Goebel, *Law Enforcement in Colonial New York*, 696.
57. *Laws of Maryland*, February 1777, c. 20, sect. 2.
58. The letters and petitions are included among *Fred. Co. TP*.
59. The commutation orders are included among the *Executive Papers*, 1781, Hall of Records, Annapolis, Maryland. I am grateful to Mrs. Phebe Jacobsen, archivist, for searching this collection for me and for providing me with photographic copies of these documents.
60. See dorse of records of judgment and sentence, *Md. v. Frietschie*, *Md. v. Yost Plecker* and *Md. v. Peter Sueman*.
61. The letters and petitions urging pardons for the four surviving convicts are included among the *Fred. Co. TP*. They include letters to the governor from the presiding judge of the special court, one of the Frederick County justices of the peace who sat on the special court, and the special prosecutor.
62. See dorse of records of judgment and sentence, *Maryland v. Nicholas Andrews*, *Maryland v. Adam Graves*, *Maryland v. John George Graves* and *Maryland v. Henry Shell* in *Fred. Co. TP* for notations of pardons granted.
63. The record has been reproduced formally as it appears in the original. Editorial interpolation has been restricted to those situations where it was determined that the insertion of an obvious omission or notation of an obvious duplication or clearly misspelled word would facilitate reading without altering the meaning of the text.
64. The spelling of the defendant's name as it first appears in the record has been used throughout rather than the modernized form used in the introduction.
65. Interlineation in record in manuscript different from that of the text.

SIDELIGHTS

A Letter of Dr. William Thornton to Colonel William Thornton

Edited by THOMAS B. BRUMBAUGH

JUST FIVE YEARS AFTER THE DEATH OF DR. WILLIAM THORNTON (1759–1828), William Dunlap, the pioneer historian of American art, wrote a brief but colorful description of his achievement. It helps to suggest something of the complex temperament of this extraordinary man, one of whose most intriguing and important letters is here published for the first time.

The design for the United States capitol was made by Dr. Thornton, who received the premium for the same. He was a scholar and a gentleman—full of talent and eccentricity—a quaker by profession, a painter, a poet, and a horse-racer—well acquainted with the mechanic arts—at the head of the patent office, and was one of the original projectors (with John Fitch) of steamboats, and the author of an excellent treatise on language called 'Cadmus.' He was a 'man of infinite humour'—humane and generous, yet fond of field sports—his company was a complete antidote to dullness.¹

Although Dr. Thornton attended the University of Edinburgh and received his medical degree from Aberdeen University in 1784, he seems to have practiced very briefly. Some small means inherited from a family estate in the Virgin Islands where he was born, evidently gave him freedom to pursue a tremendously active career as an artist, inventor and public official, but Dunlap fails to mention that Thornton's Quaker affiliations did not forbid his becoming a lieutenant and later a captain of militia. Well read in law, he was to act at one time or another as a justice of the peace, and appointed Commissioner of Washington City by Washington himself, he served in the hearing of bankruptcy cases. Thornton's sometimes successful business enterprises involved not only the steamboats which Dunlap mentions, but also covered a wide range from the raising of merino sheep to gold mining in North Carolina. Although a slave-owner, he was early involved in the anti-slavery movement, and by 1802 had begun a series of publications which vigorously stated his position on the matter. His advocacy of

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the liberation of South America, with a visionary proposal for a union of southern hemisphere nations, was the subject of a tract written in 1815, and the polemic tone is quite similar to that of the Spanish section of the letter of the same date which follows. He was also the author of an undeciphered diary in code, and two novels which have yet to see publication.²

Dr. Thornton's letters have never been collected, indeed, scarcely noticed. The press of unpaid debts and pleas for loans were too often his subjects. At his best, however, he was a master of the literary letter as the late eighteenth century understood it. His cultivation of such men as Franklin, Jefferson, Washington, Rittenhouse, Latrobe, Harrison Gray Otis, John Randolph, Monroe, and particularly Madison, was, in large part, carried on through correspondence. In the following letter of June 24, 1815, written to an acquaintance, Colonel (later Sir) William Thornton (1779-1840), we see him plunging boldly into a witty and biased essay on European politics, vociferously attacking Napoleon Bonaparte as "dishonorable in the highest degree," a "modern Vandal" and the "Enemy of the Human Race." Deeply anxious about the turn of events abroad, Thornton knew that Napoleon had left Elba at the end of February and had landed in southern France, calling for fresh "exertions" by the French and Spanish people, but news of his defeat at Waterloo in mid-June could not yet have reached him. Colonel Thornton, on the other hand, must have received these prognostications in full knowledge of events, and we regret that his reply, if there was one, seems not to be preserved. It is difficult to believe that he would not have responded to such a provocative epistle, although he must have met his correspondent at most a half dozen times, and then, as we shall see, under very trying circumstances.

Most remarkably, the long opening and closing paragraphs of the letter involve a conceit based on the coincidence of the William Thornton names during events of the War of 1812, and the fact that the youthful British commander at Bladensburg had come to destroy that which he, the American architect, had created. In what sounds very nearly treasonous from a recent British subject, or perhaps only in questionable taste, he carries the idea to an ingenious conclusion by announcing that "We are under great Obligation the British who burnt our public Buildings, for the Congress determined to repair them, & have given perfect confidence now by having voted half a Million of Dollars for this end." The ironic compliment is developed even further, and he assumes for himself the well-deserved credit for having saved the Patent Office from destruction, which, it follows, was the only housing large enough to accomodate the Congress. Thornton knew that the continued existence of the building was the one practical reason why a majority of senators and congressmen had continued to consider Washington as the nation's capital. Transient legislators who lived in that swampy town of boarding houses, with the burned-out Capitol building on one side and the ruined President's house on the other, might well have thought that either New York or Philadelphia held the only just claim to be an American capital; thus Dr. Thornton's logic that he preserved the very city itself, does not seem too far-fetched. Only on November 21, 1814, was the matter at last resolved when a Congressional committee reported in favor of repairing the old buildings because it would be cheaper to do so. It was felt, too, that to remove them

would be an injustice to property owners (Thornton among them) who had bought lots in the vicinity.³

But the letter is chiefly self-explanatory and is here transcribed exactly as to punctuation, spelling and syntax. A few adjustments of paragraphing have been made for the sake of readability. Unfortunately, the pleasure of scanning Dr. Thornton's clearly formed and attractive calligraphy, arranged across four quarto pages, is lost to us in the printed version.

City of Washington 24th June 1815.

My dear Sir

It gave me great pleasure to hear that the wound which you received at New Orleans, when again leading your brave men, was like the former one, an immortal, & not a mortal wound. The Enquiries here concerning you were without number; for though you came as a Enemy among us, the gallantry of your Conduct made you the admiration of all. It is here universally known that you were the first over the Bridge at Bladensburg, & were constantly in advance, cheering forward your suffering Soldiers, till you and your brave Officers fell; and to your Regiment, & those under your command, is ascribed here the glory that crowned the Arms of your Country that Day.

Your Conduct also, at New Orleans, was conspicuously brilliant, and you performed wonders with your brave troops: but the English had to fight the Descendents of the English intrenched; & while you & your little Band were obtaining Laurels, the main Body were overwhelmed, and were covered with Cypress dipped in Blood. I hope by this time your merits have been made known, & that I shall have the pleasure of seeing your Name in the list of Generals.

What a field is again open for the display of gallantry in opposing the Enemy of the Human race! Had it not been for England, the world would have been over-run by, the Hordes of that modern Vandal. His apparent moderation respecting limits etc, is too puerile an attempt at deception to be treated seriously; and if the powers of Europe are sincere in their Declarations, the French cannot sustain a single Campaign. Napoleon has been exceedingly over-rated as a General, & Politician. He has exhibited such Instances of Cowardice as can never be forgotten; & the pretense that he carried the Flag over the Bridge of Lodi was a farcical Trick, to give eclat to him & inspire confidence: for Gen^l Moreau investigated the affair & found it all an imposition.⁴

How miserably he attempted to imitate Oliver Cromwell in ordering the dissolution of the National Assembly! Lucien was so hurt at his weakness, that he was obliged to remind him, from the presidential chair, that Napoleon was among his Friends. His Conduct in Egypt & in Russia, on the decline of Victory, is dishonorable in the highest degree, while all his officers behaved like brave men; and his arrangements and movements finally at Leipsic are proofs of his want of Skill & Science.

I must own too that I smile at the Idea of his political Sagacity. To invade with Success the Kingdoms of Spain & Portugal he promised the King of Spain the possession of Gibraltar if he would permit 250,000 to occupy Spain to be in

readiness for the coup de main with which he would take that rock which had been so long the reproach of Spain. The weak old King embraced the proposal wth pleasure. The Troops of Spain 60,000 in number, were previously sent to the North of Prussia. The French entered as Friends; they were in full possession of the Country, and nothing but the blackest of Treachery & diabolical Ingratitude could instigate that Fiend to seize the unsuspecting King & his Family, & carry them into France as Prisoners.

But how weak, how ignorant is this Man, whose Character has imposed on so many! If he had succeeded in fixing his Brother on the Throne of Spain, the Whole of South America would have forever renounced all connections with Spain, & Bonaparte would have lost all the wealth, which, without trouble, & merely to ensure peace, he was receiving from Spain & Portugal as Subsidies: if he failed in keeping possession of those Countries, which the glorious Chivalry of British Arms prevented, he would of course lose all the Wealth of Spain & Portugal; therefore whether he succeeded or did not succeed he was in a political Dilemma, from which not all the Sophistry of his most devoted Admirers can deliver him! The greatest men will sometimes err; but their Errors must be like their wit—One is a Flash of Wisdom, the other of Folly. No great man can deliberately commit a Folly, founded not only in weakness and absurdity, but also involved in Crimes of the blackest dye, at which Criminals of common life shudder with horror.

But it appears to me that the Almighty is working by the very Errors of men, & producing good by modes that man cannot comprehend, except by their effects; & these Effects become Causes to succeeding Effects, ad infinitum. When Carlos of Spain ceded the Crown to Ferdinand, he despaired of its restoration to his Family. When the reverses of the French restored Ferdinand, who had reigned in the Hearts of his people while still in prison, he was hailed in rapture on his return; and he swore to a Constitution prepared by the Cortes.

Carlos wishing to reassume the regal Power, which he stated he had renounced by coercion, was willing to become so subservient to the Pope as to reinstate, in full power and authority, the Inquisition; & to abolish the Cortes. Ferdinand, unwilling to throw into the paternal Scale of Claims, the authority of the great Head of the Church, offered also his subserviency, that he might retain the Crown, of which the Successor of St. Peter appeared to possess the Key, & thus his proceedings agst the Cortes, & his reestablishment of the Inquisition are considered as the capricious acts of Idiocy & Ingratitude, by those who are not acquainted with the Springs of action: and thus we see a cause operating, from sinister motives, that will tend to dismemberment of an immense Empire; for the Cortes having abolished the Inquisition in America, it will never be again tolerated; & the whole force of Spain will be insufficient to keep any longer in subjection, a Country which has been for three Centuries groaning under the most abject political Knavery: & intolerant bigotry & superstition.⁵

The Day of Deliverance is at hand, & at the very time that Spain was sending troops thither, & preparing to send Armies to preserve their unlimited power in that otherwise blessed Country, that restless Tool of Discord, Napoleon, calls again for all their exertions; & the work of emancipation will be progressing

here, while the Combattants of Europe are engaged in dethroning a tyrannical Imposter, who by the arbitrary Acts of a short political Supremacy, has shed more Blood than was ever spilt by the most ferocious Scourge of the Earth. It is curious, and amusing to hear the high bombastic flights of French Honor. What, shall we have a King imposed on us? At the same time forgetting how Brother Joseph, & that ruffian Joachim were imposed on other nations!

But the Army who want plunder & employment, & the Canaille who batten on blood, are the only Advocates for Napoleon. The good People of France wish the quiet Family of the Bourbons, & I trust their wish will be gratified.⁶

We are under great Obligation to the British who burnt our public Buildings, for the Congress determined to repair them, & have given perfect confidence now by having voted half a Million of Dollars for this end. Great exertions were repeatedly made in different years to remove the Seat of Govern't & I believe they would now have succeeded if I had not prevailed on Major Waters & Col: Jones to spare the Patent Office, containing the Museum of the Arts, which temporarily accomodates the Congress. Thus it was observed that *one* William Thornton took the City, & another preserved it by that single act. Many Enquiries are made after you and every person seems interested in your welfare. I shall be happy to hear from you, and wherever you may be I join with my Family and Friends in wish'g you every happiness.

Y'rs Sincerely—
William Thornton

Colonel William Thornton

The recent appearance of Walter Lord's lively and well-documented study, *The Dawn's Early Light*, is a special boon to our understanding of the letter and the attack on Washington during late August of 1814. We learn that the invading British, commanded by Major General Robert Ross, had successfully landed at Benedict, Maryland, on the Patuxent River, led in their forward action by Brevet Colonel Thornton, and Lord's researches make it clear that the impediment of the bridge at Bladensburg might have been avoided altogether if proper reconaissance had only located the shallow fords nearby. Thornton's daring crossing was to be a case of derring-do, and his heroic wound was the unnecessary result of brashness. It was an even sadder blunder from the Americans' point of view, that they had not burnt or chopped down the timber bridge in the first place, thus delaying the British, at least for a time.⁷

With the American troops in disarray, and Washington quickly taken, Dr. Thornton turned to the rescue of the Patent Office, of which he was chief executive. As other public buildings were being burned, he pointed out to the soldiers holding it, that the hundreds of inventors' models housed there were really private property, and a new type of stringed instrument on which Thornton himself was working, was evidently the most precious model of all. The building was further defended as "the Museum of the Arts," which meant that it housed a number of portraits and a group of natural curiosities which one day would help to form a nucleus for the Smithsonian Institution collections. Colonel Timothy Jones and a certain Major Waters, two of those in charge of setting

the Washington "conflagrations," were persuaded by the arguments, and in the absence of the city's mayor, Dr. Thornton further assumed his authority and proceeded to have the gates of the Navy Yard shut against continued looting. He visited the British wounded, appointing a commissary to look after their needs, and set up groups of citizen guards who were to restore order and patrol the streets at night.⁸ It was undoubtedly Dr. Thornton's finest hour, and the old Patent Office was to be a monument to his courage. Parenthetically, it might be pointed out that Colonel John Tayloe's superb Octagon House (1800) at 1741 New York Avenue, N.W., is the best preserved Washington monument to his originality and excellent taste.

Walter Lord's careful sifting of local newspapers and such documents as Mrs. Thornton's manuscript diary, reveals that a number of the wounded foe were quick to become "pampered favorites" in the capital. Accordingly, when the English surgeon Dr. Monteath died there, his attendant, Dr. James Ewell asked for the Marine band to play at the funeral. Colonel Thornton, senior officer among the British wounded, soon to be released in a prisoner exchange, was allowed to send mail under a flag of truce to the British army in Chesapeake Bay. We are told that he received a bedpan as a present from his namesake, but lacking full information on the matter, one must wonder if a wound in the thigh required such an aid, and if, perhaps, the "gift" was a grotesque joke. Dr. Thornton was known to have a curious sense of humor.⁹

Four months later at the Battle of New Orleans, a recovered Colonel Thornton led a successful and "conspicuously brilliant" flanking attack on the Americans near Bayou de Cataline. However, the collapse of the main British forces there, "overwhelmed, and . . . covered with Cypress dipped in Blood," soon dictated their retreat to the boats. During the attack Thornton received another more severe wound while showing extraordinary personal devotion to duty. Arriving home in England in March, 1815, he was decorated as a Companion of the Bath, military division. Dr. Thornton was not to see the Colonel's name on the list of generals until after August 12, 1819, when he was appointed deputy adjutant-general in Ireland. Knighthood was conferred upon him in 1836, but "become subject to delusions," he shot himself four years later.¹⁰

Dr. Thornton's last years were spent in the office of the Superintendent of Patents, where he worked contentedly with improvements in boilers, stills, firearms, and other mechanical devices. Something of his social ambition and devotion to a well-regulated domestic life may be suggested in Gilbert Stuart's stylish and formal portraits of him and Mrs. Thornton, who outlived her husband by nearly forty years. We might also summon up a mental picture of the old gentleman posting an occasional handful of provocative, and sometimes eccentric letters to old acquaintances such as Humboldt, Lafayette, and Charles Willson Peale, and to such up-and-coming young men as Albert Gallatin, William Strickland, and John Quincy Adams.¹¹

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1. William Dunlap, *History of the Rise and Progress of the Arts of Design in the United States*, 3 vols. (New York, 1834), 1:336.
2. *Dictionary of American Biography*, s.v. "Thornton, William." See also, Elinor Stearns and

- David N. Yerkes, *William Thornton, A Renaissance Man in the Federal City* (Washington, 1976), which corrects several errors in the article and gives the best account of Thornton, the architect.
3. Glenn Brown, *History of the United States Capitol* (Washington, 1900), p. 49.
 4. The French general, Jean Victor Moreau (1763-1813), was exiled by Napoleon in 1804. He lived as a gentleman-farmer at Morrisville, Pennsylvania, until his recall by French royalists and the Russian emperor, Alexander I, in 1813. It is more than likely that Dr. Thornton was acquainted with him during that time, and that he had the account of the Lodi Bridge incident directly from him.
 5. The complexities of Spanish politics, 1795-1815, are so great that it would require a separate essay to discuss fully Thornton's reactions and his "liberal" position on these matters. Suffice it to say, he saw some hope for Spain and her colonies in the parliament or Cortes in the years when Carlos IV, Manuel Godoy, Joseph Bonaparte, Ferdinand VII, and others among Francisco Goya's infamous portrait subjects were jockeying for power. The effect of European political events on the development of Latin America, especially concerns him here.
 6. Louis XVIII, the "quiet" Bourbon heir, found himself deserted and driven into exile during Napoleon's Hundred Days. He was to return to a more or less stable rule until his death in 1824.
 7. See Walter Lord, *The Dawn's Early Light* (New York, 1972), pp. 120-133.
 8. *Ibid.*, pp. 195-203.
 9. *Ibid.*, p. 210.
 10. *Dictionary of National Biography*, s.v. "Thornton, Sir William."
 11. The bulk of Thornton's unpublished personal papers is preserved in the Manuscript Division of the Library of Congress. The present example from the author's collection, was obtained in the rare book market some years ago.

Thomas Swann and the British in St. Mary's County

Edited by STUART LEE BUTLER

AS THE BRITISH FLEET STEPPED UP ITS INCURSIONS ALONG THE SHORES OF the Chesapeake Bay and began to threaten the nation's capital in the spring of 1813, Gideon Granger, postmaster general under President Madison, organized a team of military observers to report all enemy naval activities. These reports were to be sent directly to the postmaster general and to the commandant at Fort Warburton, later named Fort Washington, in Charles County, about twelve miles below Washington. Unfortunately, the records of the postmaster general's office do not include any of these reports.¹ In 1976, however, a few reports from Thomas Swann—an inhabitant of St. Mary's County who served as a military observer at Point Lookout—to the commandant at Fort Warburton, or Washington, were discovered in a bundle of miscellaneous papers among the records of the Adjutant General's Office in the National Archives, Washington, D.C. These documents include Swann's estimate of the British fleet, descriptions of runaway slaves, and British depredations on the St. Mary's coast. Taken together, they constitute a valuable source for events taking place in the Potomac-Chesapeake Bay area during the summer of 1813.

Although there remains some uncertainty about the identity of Thomas Swann, he is definitely not the Thomas Swann described by Walter Lord in his book, *The Dawn's Early Light*.² According to Lord, Swann was a Georgetown lawyer, the father of Thomas Swann, later governor of Maryland during the 1860's. The recently discovered documents in the National Archives and documents in the Maryland Historical Society indicate that there must have been two Thomas Swanns, one the Georgetown lawyer and the other an inhabitant of St. Mary's County who wrote the dispatches. The handwriting of the two Swanns and letters written from Georgetown and St. Mary's County within a very short period clearly indicate the existence of at least two Thomas Swanns.³

Thomas Swann, the military observer, may have been Thomas Mercer Swann, the eldest son of Samuel Swann who died in December, 1807. Thomas inherited his father's estates of Swann's Forest, Swann's Venture, Hopewell, and Quinton—in all 378 acres in the Chaptico Hundred district of St. Mary's County. In 1813 his estate was valued at \$2045, though only \$851 at the time of his death in the 1840's.⁴ However, the United States census population for 1810 indicates the existence of another Thomas Swann in St. Mary's County. This Thomas Swann had five members in his household and one slave. But nothing else is known

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about this second Swann, for his name does not appear on the tax assessment books nor on the federal population census for 1820.

Point Lookout
Friday at 1 O Clk PM
July 23, 1813

Sir

I am directed by G. Granger Esq. to communicate to you by the daily express Mail any information I may get at this station respecting the enemy.

Yesterday forenoon I discovered a large sail standing down the River, opposite St. Mary's—she proved to be a sixty four. The wind being light, it was 4 O Clk before she got off Smith's Light House, when a breeze coming out from the S&W she shaped her course down the Bay—

I have the honor
to be Sir yr
Obt
Thomas Swann

To the Comm^s Officer
at Fort Washington

Point Look Out
Monday July 26 1813
at 1 O Clk AM

Sir

At sunset last night twenty two sail (which I suppose consists of the whole fleet up the River) came too [sic] off the mouth of St. Mary's River, bound down at daylight this morning. The fleet got underway with a light breeze from the West at $\frac{1}{2}$ past 7 AM it being quite calm, they shortened sail & anchored, not having progressed more than half a mile down from the place where they weighed at 10 about 30 Barges with 1000 or 1500 men landed & proceeded up Smith's Creek; it is supposed they intend marching down to this point and ships that came too [sic] here yesterday, still remaining at their anchorage will receive them.

The fleet within my observation consists of three seventy fours, two double deckers, fifty fours or sixty fours six frigates five Brigs & nine smaller vessels

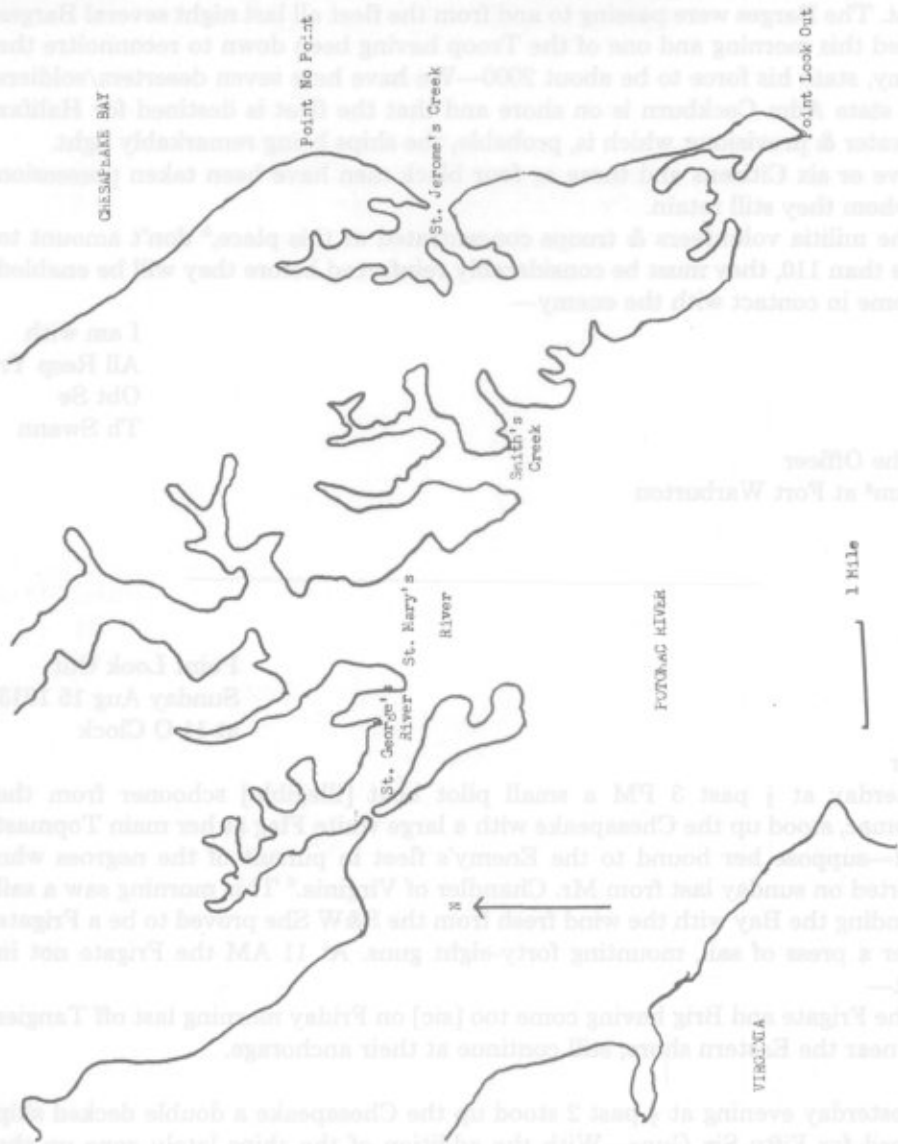
I am sir with
Resp yr obt
Thomas Swann

To the Officer
Comm^s at Ft Warburton

St. Inigoes
27th July 1813
at 12 O Clk

Sir

The British yesterday having progressed up the Country as far as the Ridge (three miles from the place where they landed) formed a line and carried before



them, from thence, to Point Look all the cows, horses, sheep, Hogs, and Poultry. The Horses, they rode, finding it more convenient in driving the stock.

Four pieces of ordnance have been landed at Point-Look out which they will mount, it is supposed, and endeavour to cut off all communication with the Point. The Barges were passing to and from the fleet all last night several Barges landed this morning and one of the Troop having been down to reconnoitre the enemy, state his force to be about 2000—We have here seven deserters/soldiers who state Adm Cockburn is on shore and that the fleet is destined for Halifax for water & provisions; which is, probable, the ships being remarkably light.

Five or six Citizens and three or four black men have been taken possession of, whom they still retain.

The militia volunteers & troops concentrated at this place,⁵ don't amount to more than 110, they must be considerably reinforced before they will be enabled to come in contact with the enemy—

I am with
All Resp Yr
Obt Se
Th Swann

To the Officer
Comm^s at Fort Warburton

Point Look Out
Sunday Aug 15 1813
at 11 O Clock

Sir

Yesterday at $\frac{1}{2}$ past 3 PM a small pilot boat [illegible] schooner from the Potomac, stood up the Chesapeake with a large white Flag at her main Topmast head—suppose her bound to the Enemy's fleet in pursuit of the negroes who deserted on Sunday last from Mr. Chandler of Virginia.⁶ This morning saw a sail ascending the Bay with the wind fresh from the S&W She proved to be a Frigate under a press of sail, mounting forty-eight guns. At 11 AM the Frigate not in sight—

The Frigate and Brig having come too [sic] on Friday morning last off Tangier Bar near the Eastern shore, still continue at their anchorage.

Sir

Yesterday evening at $\frac{1}{2}$ past 2 stood up the Chesapeake a double decked ship pierced for Fifty Six Guns—With the addition of the ships lately gone up the Bay; the Enemy's fleet of present in the Chesapeake consists of the following vessels including the Frigate and Brig now laying off Tangier Bar. Viz Four Seventy fours, Five double deckers carrying from Fifty to Sixty four Guns each, eight Frigates one Transport ship, not pierced for Guns Four Gun Brigs and Twelve Schooners and sloops making in all Thirty four sail—

A small Schooner this morning from the Potomac has been sailing about in different directions near Point Lookout I imagine for the purpose of ascertaining the measure of the Frigate and Brig that are laying in sight.

I am Sir with
All Respect
Y M Hl Se
Th Swann

Point Lookout
Wednesday 12 O Clk
Aug 18, 1813

Sir

This morning at daylight I saw two sail (one a Seventy four the other a Frigate, mounting from Forty six to Fifty Guns) standing down the Bay with the wind fresh from the N&E at 6 AM they shortened sail stood over towards the Eastern Shore for the purpose of speaking the Frigate and Brig laying off Tangier Bar. At $\frac{1}{2}$ past 6 they filed away and made sail at 8 they were out of sight—The small schooner that went up the Chesapeake on the 15th Instant with a white Flag returned this morning and anchored in the Potomac off Corn Field Point. W Chandler to whom the negroes belonged that deserted did not succeed in getting them back from the Enemy as they objected most strenuously when leaving [illegible] fleet.

I have the honor
to be Ser with
Respect . . .
Th Swann

Point Lookout
Sunday Aug 22, 1813
At $\frac{1}{4}$ past 12 O'Clk

To the Officer Com^d
at Fort Warburton
Sir

A large sail has just hove in sight below Smith's Point Light House bound up the Bay with a light breeze from the S&W suppose her a Frigate.

Four negroes deserted from this vicinity on Friday night last two men and a woman from Caleb Jones and a man from Sam¹ Bean—⁷ It is presumed they have gone on board the two Enemy's vessels laying off Tangier Barr—

I am sir with
All respect
Yr Mt H Se
Th Swann

Point Lookout
 Monday $\frac{1}{2}$ past 12 Ck
 Aug 23rd 1813

Sir

I have the honor to inform you the ship I alluded to in my letter of yesterday date being bound up the Chesapeake proved to be a Frigate mounting forty-eight Guns. At sunset the Frigate and Brig lying off Tangier Bar got underway, stood up the Bay & anchored at 10 O Clock off the Narrows nearly opposite the mouth of St. Jerome's Creek. At 12 O Clock a Barge from the Brig with about 30 armed men landed at St. Jerome's and took from Caleb Jones all his negroes & a quantity of Poultry; this morning at daylight the Boat returned to the vessels at 6 AM another Frigate passing up under a press of sail pierced for Fifty Guns at 9 she was out of sight above Point No Point.

I am Sir with
 All Resp Yr
 M Ob Se
 Th Swann

Officer Comm^s
 at Fort Warburton

Point Look Out
 Tuesday 12 O Clk
 Aug^t 24 1813

Sir

I have the honor to inform you the two Enemy vessels the Frigate and Brig continued off the narrows untill today at 12 O Clk when they weighed anchor stood down the Bay in chase of a small schooner bound up. Yesterday evening, a Barge from the Brig ascended the Bay as high as Point No Point carefully sounding, particularly at the mouth of St. Jerome's Creek. The Frigate kept a light hoist during last night I imagine for the purpose of showing the negroes, the protection of the ship that they might be enabled to join her (if disposed) without difficulty—No attempt has been made by the Enemy to land since sunday night last.

I am sir with
 All Respect & esteem Yr
 Mt Ob Se
 Th Swann

To the Comm^s Officer
 at Fort Warburton

Point Look Out
 Wednesday 12 O Clk
 Aug^t 25 1813

Sir

The schooner which the Frigate and Brig were in chase of yesterday evening was captured by the latter vessel—she has much the appearance of a Eastern

shore built vessel, loaded with plank and scantling at O Ck the two Enemy's vessels tacked and again anchored off the Narrows within 3 or 4 miles of this shore, having the schooner in company.

I understand two marines deserted from the Barge that landed on last Sunday night at St. Jerome's Creek. They being left in charge of the boat while the remainder of the crew were foraging at Mr. Caleb Jone's [sic]. The singular circumstance of W Jone's loss (eight negroes, being all he owned) may be attributed to a Black fellow who deserted from him on Sunday night last and who escorted the Bargemen to W. Jones House. On their arrival at the House, the fellow to the great astonishment of his former master had the presumption and effrontery to walk the floor several times with a brace of pistols and a Cutlass; was very impertinent in his language. Mr Jones was not the only person who has experienced the depredations committed by the Enemy; two negro men were also taken from . . . the neighborhood [sic] (exclusive of Mr. J's) the same night. They belonged to Messrs Hezekiah Smoot & Thomas Smith.⁸

Two large Barges have been rounding in different directions all the morning—

As it will afford me *much* satisfaction to know whether my communications are received by you daily I will therefore request you to acknowledge the receipt of this letter and any others you may think proper hereafter—

I am Sir with
All Respect Yr
M Ob Se
Th Swann

To the Officer Comm^s
at Fort Warburton

Point Look Out
Saturday 12 O Clock
Aug^t 28 1813

To the Officer
Comm^s at Fort Warburton
Sir

I have the honor to inform you the two Enemy's vessels, the Frigate and Brig are still lying off the Narrows, and that they have made no movement since yesterday—

The two Marines that deserted from the Barge, which landed in St. Jerone's on last Sunday night, informs that the object of the Enemy for anchoring at his present station is to give the negroes in the neighborhood an opportunity of joining him, as well as to intercept the communication with the Potomac, his present situation being a very desirable one for both purposes—

I am Sir with all
Respect & Esteem
Yr Mt Ob Se
Th Swann

Point Lookout
3d Jan^u 1814

Sir

Since my letter of 26th ulto I have had no intelligence of the enemy. On Wednesday last, a three masted schooner pierced for twelve Guns under British Colours and a white Flag at her Fortopmasthead ascended the Bay. She is no doubt a Cartel⁹ and has ere this arrived at Annapolis.

The U.S. Ship *Adams*¹⁰ is in the Bay lying to the N&E of Point Lookout I imagine she is bound to sea as soon as she can accurately ascertain the situation of the enemy's vessel below.

I am Sir with
Resp & Esteem
Yr Mt Hble
Th Swann Aft at Point Lookout

To the U.S. Officer
Comm^g in the Dist Colo Washington

REFERENCES

1. Arthur Hecht, "The Post Office Department in St. Mary's County in the War of 1812," *Maryland Historical Magazine*, 52 (June, 1957) 142-52.
2. Walter Lord, *The Dawn's Early Light* (New York, 1972), p. 20.
3. Correspondence from Thomas Swann of Georgetown can be found in the William Wirt Papers (Ms 1011), Maryland Historical Society, Baltimore.
4. See Will Book JJ3, p. 165 for the will of Samuel Swann. St. Mary's County Tax Assessment Book for the year 1813, District No. 4, and Tax Assessment Book for 1841, District No. 4, Maryland Hall of Records, Annapolis, Maryland.
5. Thomas M. Swann was a member of Capt. James K. Cawood's detachment of the 45th Maryland Regiment of militia commanded by Lt. Col. Henry Ashton from July 29 until August 5, 1813. Compiled Military Service Record, Record Group 94, Records of the Adjutant General's Office, National Archives, Washington, D.C.
6. The federal population census for 1810 shows that John Chandler of Westmoreland County, Virginia, had eight slaves.
7. Caleb Jones lived on "Beckwith Lodge," in an area called Tick Nick. In 1813 he sold his land and moved to Somerset County where he died in 1853. The impact of the war bore heavily on Jones, for according to the tax lists he was worth \$849 in 1813, but only \$190 in 1815. Samuel Bean was a bay pilot who had just completed his apprenticeship when the war broke out. When he died in 1831, Bean was the owner of 150 acres on Fresh Pond Lake.
8. Hezekiah Smoot was evidently a tenant in 1813 who had property worth \$507 and four slaves. Thomas Smith, an inhabitant of St. Mary's County until 1841, was part owner of Cross Manor on Jutland Neck between Smith and Jutland Creek. In 1813 he owned property-including seven slaves and one-half of a windmill—worth \$1227. A year later the value of the property was \$919, a decrease probably attributable to the impact of the war.
9. A sea going flag of truce.
10. The U.S.S. *Adams* was a twenty-eight gun frigate launched on June 8, 1799, under the command of Captain R.V. Morris. From 1811-1812 she served as a receiving ship and later was lengthened fifteen feet. The *Adams* was bottled up in the Chesapeake until January 18, 1814, when she slipped past the British fleet. She sailed to Savannah and then to Great Britain taking a number of prizes until she was burnt by command of Captain Morris in the Penobscot River near Hampden, Maine, on September 3, 1814, to avoid capture by the British. *Dictionary of American Fighting Ships*, 6 vols. (Washington, D.C., 1959) 1:9.

Thomas Bacon, Colonial Clergyman

WILLIAM E. DEIBERT

IN 1745 THE NEWLY ORDAINED ANGLICAN PRIEST, THOMAS BACON, FIRST SAW the New World. He would become rector of St. Peter's Parish, Talbot County, Maryland, and later of All Saints in Frederick County. He would also compile a long-used collection of the laws of Maryland. A royalist and a conservative in the Church of England, Bacon reacted to the new intellectual currents of his time by vigorously attacking the rationalism and skepticism of an age that was not really his but of which he was a part. There must have been many like him in eighteenth-century North America.

Born on the Isle of Man around 1700,¹ Thomas Bacon seems to have been originally educated for either the civil service or the law. While managing a depot of coals in Dublin, Ireland,² he made an abridgement of the revenue laws of Ireland.³ During this period, he also met and married a widow whose coffee house he subsequently managed. Later he became a corrector for the Company of Stationers in Dublin, but left in 1741 to found his own newspaper, the *Gazette*.⁴ Either he was unsuccessful in the publishing business or he lost interest in it, for in March of 1744 at Kirk Michael, one of the parish churches of the Diocese of Sodor and Man, Bishop Thomas Wison ordained him a priest of the Church of England "in order to go into the plantations."⁵ His younger brother Anthony encouraged him to go to Maryland,⁶ where Anthony had been a merchant until returning to England in 1740.⁷

Thomas Bacon left England with mature attitudes and beliefs. His later writings indicate a dogmatic religious orthodoxy, an unwavering loyalty to the British Crown, and a consistently aristocratic outlook. Given Bacon's age in 1745, it is likely that these commitments were part of the mental baggage which he brought to North America. He either came as one of Lord Baltimore's domestic chaplains or was later appointed to this honorary office;⁸ in any case he was closely associated with the proprietor's government from the start. His high clerical income enabled him to move in the most aristocratic social circles, and he claimed the friendship of some of the colony's most prominent men.

The Bacons entered a world that mixed the familiar and the new when they came ashore at Oxford, Talbot County, Maryland in late summer or early autumn of 1745.⁹ Near the juncture of the Tred Avon and Choptank Rivers, Oxford was the Eastern Shore's main port of entry. With her sister towns Annapolis and Baltimore, she was one of the colony's three most important seaports, alive with the bustling business of the export tobacco trade.¹⁰ About her were the tobacco fields that characterized tidewater Maryland and Virginia. Wealthy planters like the Lloyd's of Wye cast a great shadow upon this land.

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Oxford was a merchant's town, and Bacon soon became friendly with Henry Callister, who was assistant to Robert Morris, factor for Foster Cunliffe and Son of London.¹¹ Though Bacon was a Tory and Callister a Whig and a religious skeptic, they were Manxmen in a foreign land with similar interests. Both played musical instruments and loved music, and both were well educated. They liked and respected each other from the beginning; Callister considered Bacon "the worthiest clergyman" he had ever known.¹² Besides being a diligent and competent priest, Bacon had many other concerns and talents. Interested in publishing, law, politics, and education, he was also an accomplished musician-composer and apparently a self-taught physician.¹³ Thomas Bacon had given his life to the Church, but this did not mean that the Church occupied all of his life.

Oxford was part of St. Peter's Parish, and the parish church was White Marsh. In November of 1745 Bacon became the new curate of its invalid rector, Daniel Maynadier, and in March, after Maynadier's death, he became rector.¹⁴ His income was worth at least £ 250 sterling a year, a very good stipend.¹⁵ At first he probably lived on the parish glebe where Maynadier had lived. But he was used to town life, and in late summer of 1746 he moved into Oxford, two houses away from Callister.¹⁶

Bacon was shocked by the condition of the parish he had suddenly inherited. Although Maynadier had been well-liked, St. Peter's had not flourished in his care. A poor administrator and a singularly uninspiring preacher, he was known primarily as a staunch Whig and a "good liver." Furthermore, he had been ill for some time. His curate, an excessive gambler and drinker and a very quarrelsome man, had not even been liked.¹⁷

In the next months Bacon tried to breathe new life into the parish. He began by making it easier for people to attend Sunday services. He had the chapel on King's Creek renovated and started to hold weekly services there.¹⁸ In the summer of 1747 he moved to Dover on the Choptank,¹⁹ a town that not only was closer to White Marsh Church but much nearer to the chapel. Earlier that summer Callister had moved to Head of Wye to establish a store for his employers.²⁰ Bacon also had White Marsh Church enlarged to accommodate a congregation which had grown considerably since he had been pastor.²¹ Finally, he attempted to neutralize the influence of unorthodox religious literature by distributing a defense of Christianity.²² Interpreting the Bible literally, Bacon embraced without question all of the supernaturalism of Christianity.²³ He did not agree with the deistic tendencies of some of his more sophisticated contemporaries nor with the emotionalism of the evangelists, and both deistic writings and evangelical preachers were a seductive presence in the parish.²⁴

A particularly interesting aspect of Bacon's ministry was its social content. In 1749 he preached four sermons on the duty of slaveholders to teach their slaves about Christianity. At a time when people believed that Negroes did not have souls, he was convinced that they did and felt a responsibility to save them.²⁵ But he did not oppose slavery and owned slaves himself.²⁶ He also was interested in educating children of the poor. Although his foremost concern was their religious training, he also thought that they should be literate and know basic arithmetic.²⁷ However, these concerns do not appear to have been motivated by a desire to see them rise in social status. Did not Jesus himself say that "the

poor always ye have with you. . . .” Bacon believed in a society in which each class passively accepted its place in a divinely ordained social order.²⁸ This was in essence medieval. Further, like almost all of his contemporaries, he believed in the existence of distinct races and the superiority of the white race.²⁹

Bacon’s interest in the education of the poor climaxed in a plan to build a charity working school in St. Peter’s Parish.³⁰ Such schools were very common in eighteenth-century England, and the clergy of the Church of England played a leading role in their establishment and maintenance.³¹ By 1755 a farm had been purchased and a school house erected.³² It appears to have been the first school of this type in Maryland.

Bacon’s superiors were evidently pleased with his work, for in 1752 he had been considered for the post of commissary or bishop’s representative. However, they felt that he was too weak from a hernia to “endure the fatigue” of the office.³³

1755 was eventful but tragic. Bacon’s son Jacky was lost at sea, and later in the year his wife died.³⁴ He was also indicted for “an offense against law and morals.” Apparently he was never tried, but at the August court he won a suit against his accuser, a Rachel Beck, for slander.³⁵ But with all this, his life was not without some enjoyable moments.

He belonged to a “musical society” that met in the homes of its members for dinner, conversation, and music and sometimes dancing and cards. It included merchants Henry Callister, John Hanmer, and James Dickinson and planters Samuel Chamberlaine and Edward Lloyd III. Women were also included.³⁶ A musical society evening was usually highlighted by a concert.³⁷ Some, perhaps all, of the members played instruments; Bacon played the violin and cello.³⁸ He was also an honorary member and “chief musician” of the Tuesday Club of Annapolis, a rather exclusive club for men with only about fourteen regular members. Each Tuesday they gathered at the home of one of their number for dinner and improvised entertainment. Favorite activities were the mock trial and the discourse, and for a while riddles were very popular. Every time someone did not guess someone else’s riddle, he had to guzzle a drink as a penalty.³⁹

Bacon’s life continued to vacillate between enjoyment and strife. In 1755 he had married Elizabeth Bosman, Daughter of Colonel Thomas Bosman of Oxford Neck, to Reverend Thomas Belchier, who was later found to be a bigamist. Two years after, Bacon married her himself without publishing their intent to wed and without obtaining a license as provided by law. He was indicted and convicted and fined 5,000 lbs. of tobacco. Refusing to pay, he was fined an additional sum. In 1758 he was indicted for breaking the same statute in performing the Bosman-Belchier marriage three years earlier, but for some reason the indictment was dropped.⁴⁰

In the autumn of 1758 Bacon’s life changed by the death of Samuel Hunter, rector of All Saints Parish in Frederick County.⁴¹ Bacon was invited to act as nominal curate until he could be inducted as rector. He left the Eastern Shore for Frederick Town before the end of the year.⁴² Meanwhile, Governor Horatio Sharpe, at the request of his Council, made Bacon reader at All Saints.⁴³ Thomas Thornton, curate at St. Peter’s performed Bacon’s duties there.⁴⁴ Bacon probably did not become rector of All Saints until the spring of 1762.⁴⁵ This was the most

sought after clerical living in Maryland—the biggest plum in the diocesan pudding, said to be worth £ 400 to £ 1,000 currency a year.⁴⁶

Bacon's years at All Saints (1748–1768) spanned the early period of political unrest in the colonies that included the Stamp Act crisis. In 1765 men who called themselves “Sons of Liberty” buried a copy of the hated Stamp Act in a mock funeral at Frederick Town,⁴⁷ a gesture of defiance that symbolized the mounting discontent over Britain's first direct attempts to raise revenue in North America. Although Bacon felt that England was on a collision course with her colonies, he did not believe the impending clash was inevitable and blamed deteriorating relations on a misunderstanding rather than malice, urging a swift reconciliation based on mutual self-interest.⁴⁸ Thomas Bacon was no revolutionary.

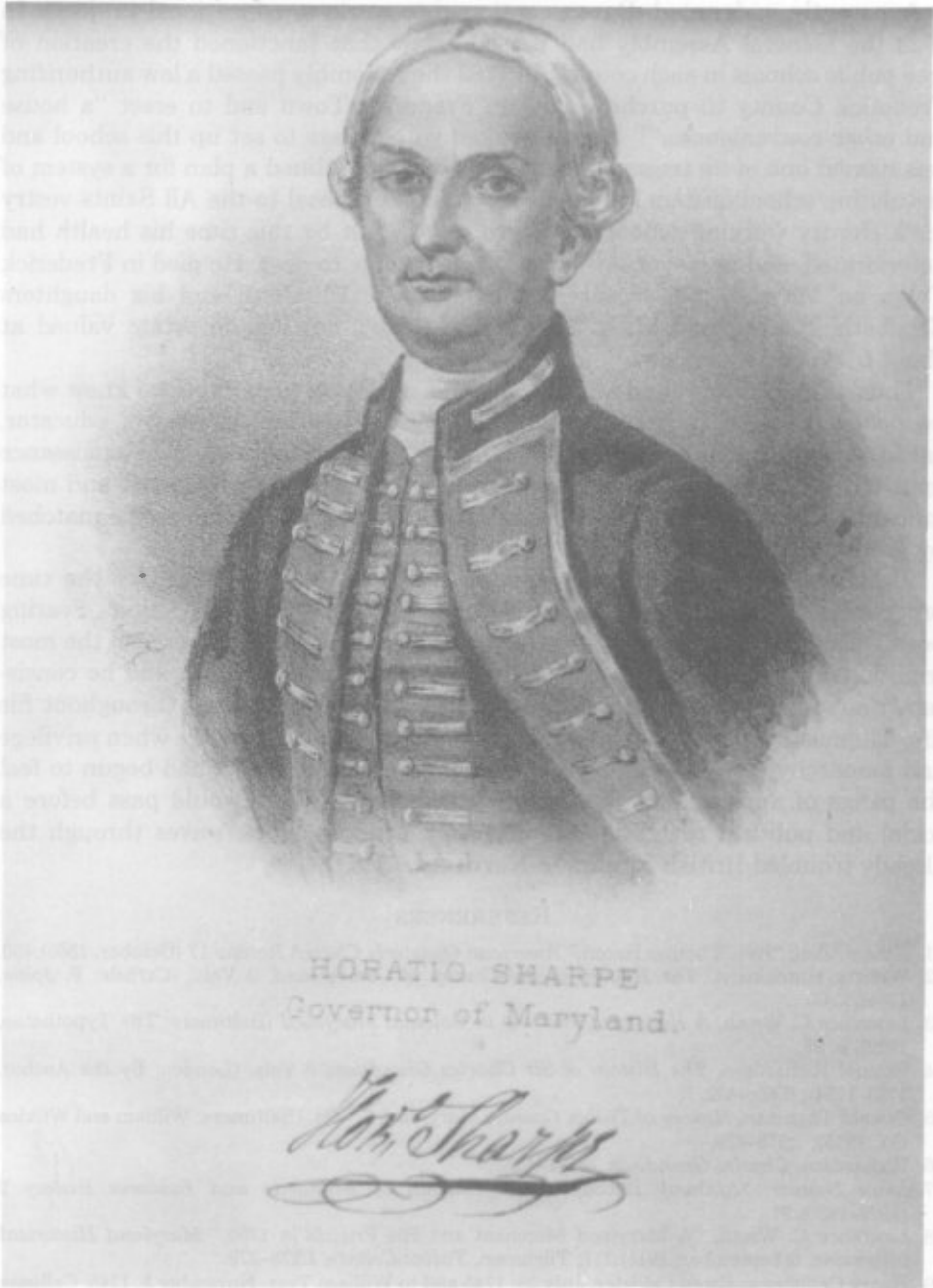
In these years his closest friend was lawyer Walter Dulany, delegate to the lower house of the Maryland General Assembly (1745–1765) and later Commissary General.⁴⁹ Bacon needed an influential friend, for this was the time when he struggled to get financial backing for his plan to publish an up-to-date collection of the acts of the General Assembly. As early as 1753 he had indicated that he wished to compile an index of the laws of the colony.⁵⁰ However, by the time he had finished it he wanted to publish a new edition of the laws as well.⁵¹

From the beginning Bacon's efforts to induce the General Assembly to subsidize his project were caught up in the vortex of a bitterly contested political battle. Maryland's two political factions were fighting over the Tonnage Act of 1661 which gave the Lord Proprietor 12d. sterling per hogshead on all tobacco exported from the colony.⁵² In 1689 the General Assembly had enacted a law that diverted this duty from the Proprietor to the provincial treasury. In 1692 the Crown disallowed this law and said that the Tonnage Act remained in force. By 1758 the two factions were still disputing this issue, the proprietary party claiming that the act was in force and the anti-proprietary that it was not.⁵³ When Bacon asked the General Assembly in 1758 for support in publishing a new edition of the laws of Maryland, his petition became a focus for this political and economic question.⁵⁴

For four years legislation floundered in the provincial legislature because the proprietary party would not agree to a new edition of the acts of the General Assembly that excluded the Tonnage Act or the anti-proprietary to one that included it.⁵⁵ Final defeat came in 1761 when a bill that omitted the Tonnage Act from the body of the laws⁵⁶ was vetoed by Governor Sharpe, who would not sign a law so clearly contrary to proprietary interests. The only alternative to public subsidy was private subscription.

The moving force behind the plan to finance the project solely with private subscriptions was Governor Sharpe. He proposed to head a list of backers who would loan Bacon the money.⁵⁷ Frederick Lord Baltimore, Cecilius Calvert, and several other prominent men put up the capital.⁵⁸ The *Laws* finally were published in the summer of 1766.⁵⁹

The elation Bacon must have felt may have made up in part for an earlier disappointment. The Charity Working School in St. Peter's Parish had failed in the spring of 1760. A school had been built and a master had been nominated, but not enough subscriptions had been taken out, and the number of donations



Horatio Sharpe (1718–1790), Governor of Maryland (1753–1769) from an engraving

expected did not come in. The cost of the building had exhausted the school's operating money, and soon there were insufficient funds to keep the students or to pay the master. When some subscribers failed to make their annual payments, Lord Baltimore's agent stopped making payments also.⁶⁰

Apparently undaunted, Bacon continued to work on educational projects. In 1723 the General Assembly had passed a law that sanctioned the creation of free public schools in each county. In 1763 the Assembly passed a law authorizing Frederick County to purchase land in Frederick Town and to erect "a house and other conveniences."⁶¹ Bacon worked with others to set up this school and was named one of its trustees. He may also have outlined a plan for a system of circulating schoolmasters for the county and a proposal to the All Saints vestry for a charity working school for Negro girls.⁶² But by this time his health had deteriorated, and he never saw either project come to pass. He died in Frederick Town on May 24, 1768,⁶³ survived by his wife Elizabeth and his daughters Elizabeth, Rachel, and Mary.⁶⁴ He died in debt, but left an estate valued at about £ 385 current money.⁶⁵

Thomas Bacon has been an inspiring and dedicated preacher who knew what he believed and why he believed it. Minister, musician, physician, educator, gardner, and student of the law, he in many ways exemplified the Renaissance man of the eighteenth century. Respected by some of the wealthiest and most influential families of the Chesapeake Bay, he achieved a prominence matched by few Maryland clergy.

Although Bacon had sponsored educational causes that were for the time progressive, he remained a conservative by temperament and convictions. Fearing both Deism and evangelical Christianity, his religious beliefs embraced the most traditional of the age. His political views were also conservative, and he consistently supported official proprietary positions on various issues throughout his life. Thomas Bacon had been an aristocrat and a royalist at a time when privilege and monarchy were losing favor. The colonial world he knew had begun to feel the pangs of approaching change. Only eight short years would pass before a social and political revolution would erupt, sending shock waves through the already troubled British Empire in North America.

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Maryland Hoggs and Hyde Park Dutchesses: A Brief Account of Maryland in 1697

Edited by DAVID W. JORDAN

EARLY ACCOUNTS OF THE NEW WORLD TRADITIONALLY EXAGGERATED THE abundance of the land and its Edenic nature. Such descriptions usually appeared as part of promotional tracts to entice immigrants to a particular colony.¹ However, Sir Thomas Lawrence's depiction in 1697 of the abundance of Maryland and the excellence of its vegetation and animal life is rather different. It is one of the few surviving pieces of private correspondence, especially from the later years of the seventeenth century, which dwells at any length on a description of the colony. Furthermore, Lawrence had no intention of enticing anyone to Maryland; indeed, he did not even wish to remain a resident himself. Although he dramatically reported that the livestock in the colony ate better than did duchesses in Hyde Park, he clearly preferred the company of the latter. Delicious fruits and vegetables might flourish in greater profusion than plants carefully tended in English hotbeds, and a virtual cornucopia of tasty wildlife might be available for easy capture, but neither could sufficiently offset what in this baron's estimation was a cultural wasteland. The way to this man's heart was decidedly not through his stomach.

This reluctant admirer of Maryland's abundance was a royal official, the secretary of the colony. Lawrence had held that post since 1691. A native of Chelsea, Middlesex, Lawrence was a graduate of St. John's, Oxford, and a former student at the Middle Temple, impressive credentials for a late seventeenth century Marylander. But despite a lengthy residence in the colony, Lawrence never considered himself a Marylander. He did not identify with the other settlers, he rarely enjoyed good relations with these permanent residents of the colony, and he came to represent for many of them the most dislikeable aspects of royal government.²

Lawrence penned his colorful observations of Maryland in a letter of March 25, 1697 to John Ellis, an undersecretary of state in the English royal bureaucracy.³ It was but one of several letters Lawrence wrote that week to influential Englishmen who had befriended the secretary during his recent sojourn in London.⁴ Lawrence had returned to the mother country in November of 1694 to conduct some personal business and to serve as the colony's agent in soliciting support for controversial legislation passed by the Maryland Assembly. While

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en route, his ship had been captured by the French who held Lawrence in custody for approximately six months. Sir Thomas' expressed wish in his letter to Ellis to avoid another tour of Poibary probably refers to this incarceration.⁵ Once free, Lawrence resided in England from July of 1695 until the following summer. During that period, he actively sought financial and administrative assistance for construction of churches and schools in Maryland, two prominent projects of Governor Francis Nicholson's administration. Lawrence alludes to the progress of their construction in his letter.⁶

By August 25, 1696, Lawrence had resettled in Annapolis, but since that time, no fleet had departed for England which could convey his correspondence. Bad weather and French harassment had postponed several sailings, but the tobacco fleet was now expected to leave the Chesapeake Bay area around March 25. Lawrence had carefully waited until the last possible moment to pen his letters, in order to report the most recent news.⁷

Lawrence's main purpose in writing these ranking English officials was to convey his gratitude for their past favors. It was always important, however, for placemen in the imperial bureaucracy to maintain friendly relations with those men in a position to further one's career. Lawrence clearly had future favors in mind as he thanked these men profusely and praised their performance of duties. He inferred to Ellis a dissatisfaction in the Maryland assignment and his hopes for a better position. One of the other letters carried a much more specific request; Lawrence asked James Vernon, the Secretary of State, for appointment to any vacancy which might occur in the crown's agency in Portugal. Within three months, Lawrence was more determined to leave the colony, and he wrote home asking explicitly for permission to return permanently to England. Although no new appointment was forthcoming, Lawrence actually sailed from Annapolis in May of 1698 with the fervent hope never to see this abundant garden country again.⁸

Lawrence's disappointment in Maryland was fairly typical of the royal placemen and Anglican clergymen who came to America in the colonial period. Such individuals rarely immigrated with any expectations of permanent residence. They arrived, more often than not, with the intention of staying for but a short duration in order "to make or retrieve a fortune," as most local residents characterized the motives of these temporary visitors.⁹ An admirable sense of duty and service may have motivated some of them, but Sir Thomas Lawrence certainly was more the fortune seeker than the man of conscience and dedicated service. Probably one of the latter, the Reverend Hugh Jones, observed about this time that Maryland was "a place to get money and lose health, to gain experience but find no content."¹⁰ Lawrence would have generally concurred, except that he never acquired as much money as he wished. He did lose his health, or so it was frequently reported when on numerous occasions he sought permission to return to England. "Agues and feavors" were a common complaint in the Chesapeake, especially among new settlers and royal officials.¹¹

The secretary's deepseated disenchantment also owed much to the absence of what he considered congenial company and intellectual stimulation. Governor Nicholson's efforts to establish something of a cultural and social center in the

new capital were just underway in 1697. Annapolis remained but a small village and not an impressive one at that. The poet Ebenezer Cooke was to describe the capital in 1708 as "A City Scituate on a Plain, Where Scarce a House will keep out Rain." More distressing for Lawrence, there was as yet no Tuesday Club or any such comparable circle of congenial men. He considered very few Marylanders to be attractive company for intellectual or social purposes, and he was particularly disdainful of the local women. Ebenezer Cooke's hudibrastic poem "The Sot-weed Factor," written a decade later, would echo Lawrence with a satirical portrait of planters as illiterate, illbred and hard-drinking, and their wives as sloppy and sluttish.¹²

The Reverend Hugh Jones was undoubtedly an exception to the cruel picture Lawrence drew of his associates in Maryland. The two men probably found enjoyment in the occasional opportunity of each other's company and in the exchange of opinions on Maryland and Marylanders; Jones had almost certainly been a fellow passenger of Lawrence on the latter's return to the colony in the summer of 1696. This well educated clergyman's recently published letter of 1699 to a fellow cleric in England provides an interesting contrast to Lawrence's description of Maryland given below. While Jones was a keener and more specific, if less colorful, observer of the colony, both men drew attention to similar phenomena of landscape, climate, problems of health and the abundance of the land.¹³

A failure in the pursuit of other patronage, Lawrence unenthusiastically returned to Maryland in late 1701 in a second stint as secretary. He served in residence until the winter of 1705/06, when pleading bad health he again sought and received permission to return to England. During this sojourn in the colony, Lawrence could find nothing positive to report about Maryland and its residents. He managed to hold his office as an absentee official until his death in April, 1714. An embittered man, he spent his last years circulating petitions in London bureaucratic circles which ever more shrilly denounced his ill-treatment by the Maryland assembly.¹⁴ His earlier letter stands, however, as a less emotional albeit condescending response to his experiences in the colony some sixty years after its settlement. That colorful picture of abundance and backwardness takes its place among the handful of descriptions of late seventeenth-century Maryland which survive to the present.

Maryland Annapolis March the 25, 1697

Honored Sir

This comes to present you with my humble services and best acknowledgements for your favors and civilitye shewed me in England; I am now settled for a while in this new world, now in [sorrow]ness not in pleasures; In the Latitude of 38 [we] have had a winter of 3 months continued frost and snow, snows lying 3 foot deep for a month together, and frost so keen as in two nights since glaz'd our Bay of Chesapeak here 12 miles over and salt water too, yet if a South wind blows wee melt at Christmas and with a Northwester freeze at Midsummer; which violent winds commonly blow down hundreds of Trees and very many

Tobacco houses; at this time when orange trees begin to blom in Portugal our trees have not a blush of Green to [?] their sluggishness:¹⁵ Nor is it a wonder the people here fall so often into Agues and feavors since Nature herself in this Climate is always in an hot or Cold fitt: Yet is the Country capable of great improvements. The soil very fertile and the sky clear and the air dry and piercing, Nature repents of her faults and in other ways makes us a Honble Amends.

Our woods make Journey not inconvenient in July and defend our houses from the blustering threats of the Wind. They are full of Excellent deer and large Turkeys besides variety of game not dangerous in hunting and profitable in their skinns and furs; our Rivers in Winter are covered with variety of good fowl, and in summer provide us with severall sorts of Excellent fish, From the vast heaps of shells of oysters wee now make lime for our houses churches and free schoole: some fruits of this countrys growth excell whatever Art can produce in England; Melons growing here in Common Earth like Cucumbers and better Than any rais'd in your hot beds; the water melon is very pleasant and Excellent in a feavor; the peaches growing here from the stone are the best in the World; they feed their Hoggs with better than Dutchesses Eat in hyde Park: Tho wee have as little mony as you had stirring last year, yet wee need it not, all the Country lives upon Credit and talk not of payments but in the Tobacco Season. Therefore wee shop with doors open for nothing here is Stollen but drink: It is a difficult thing for a sencible man to be vicious, none such can be tempted by the Drink or the Company, and the women here being as uncleanly as the Sin He that has nose and eyes is consequently chast; To be virtuous is as Easy since the woods are fitted for Soliloquies and every habitation in them for Anchoritism: But I forbear least I should tempt you to be a Convert, to leave a Town of sin and [sail] for our pure air and contemplative life; In short, Sir, you see how I study to make the best of 't yet I fear in a year or two I shall relaps to London once more provided by an Honble Peace you will secure me from taking the Tour of [Poibary?] again: For news wee have had such a winter here as layd an Embargo upon all shipping and Tobacco for 3 months together. This has postpond the fleet to this time and the news of the Harwich and DaCastle¹⁶ coming to reinforce us stays it here till the middle of April; Monsieur Renard with his Squadron lay off the Havana when wee arrived expecting the present fleet and has done no mischief in These parts now Doe wee know what is become of him; by W&M from New York the 14 of Febr: Coll Fletcher¹⁷ was at Albany and no news of the Canada French but some threats of a visit intended But Sir it is time to release you and to subscribe my self Honrd Sir,

Your obliged humble servant Thos: Lawrence

If my eldest son goe this year for Leiden or Utrecht, if you shall favor him with your recommendation to some Ingenious French Minister how you will much oblige me.

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BOOK REVIEWS

Law, Society, and Politics in Early Maryland. Edited by Aubrey C. Land, Lois Green Carr, and Edward C. Papenfuse. (Baltimore and London: The Johns Hopkins University Press, 1977. Pp. xvi, 350. \$17.50)

This scholarly volume brings together fifteen papers originally delivered at the first Conference on Maryland History, hosted by the Hall of Records in June, 1974. As a tribute to the thirty-five year career of Morris L. Radoff as state archivist, it demonstrates both the richness of the materials that he brought together in the Annapolis repository, and the renaissance in Chesapeake historiography. While the broad themes of the research presented here may be familiar to students of recent periodical literature, this is the first volume to publish the collective efforts of a new generation of historians of Maryland. The result is dazzling in scope and methodology, if not in organization and unity of purpose.

Spanning the first 250 years of Maryland history, the papers are organized under Law, Society and Politics. This categorization is misleading since most of the essays illustrate the intimate relationship between society and institutional structures. For example, Lois Green Carr's paper argues that the Orphans' Court in seventeenth-century Maryland responded to the problems of low life expectancy and the absence of kinship networks in the predominantly immigrant population. David W. Jordan's "Maryland's Privy Council, 1637-1715" attributes part of the instability of the council to the same factors. Both articles show how the social contours necessitated institutional adjustments. Yet Carr's essay is appropriated to the section on Law while Jordan's is placed not under Politics but Society.

Taken together the papers in this volume reveal patterns of social change in early Maryland that make fascinating, though certainly not casual, reading. The seventeenth-century population, unable to increase by natural reproduction, grew only through immigration. Russell R. Menard explores this demographic failure and suggests the last two decades of the century as a critical period of change. Three other essays treat 1670 to 1720 as a time of transition. A society that was becoming demographically self-sustaining was also one where economic specialization and social stratification were occurring. Gloria L. Main correlates a period of stagnation in tobacco output with the beginnings of regional economic specialization and the accumulation of slaves by an increasingly wealthy planter elite. Lorena S. Walsh finds that, while the "success" rate among freed servants in Charles County between 1658 and 1705 was never high, opportunity diminished over time. And Paul G. E. Clemens traces the changes in Talbot County from 1689 to 1733 that left the landed families ascendant.

Two inarticulate groups in the eighteenth-century Maryland population are examined. Allan Kulikoff uses inventories, advertisements for runaways, court depositions, diaries and account books to address questions about the Afro-American family. Despite the adverse effects of Chesapeake demography and the slave system, Kulikoff argues that blacks maintained complex kin networks. While his data for large plantations are much stronger than for small ones, he offers a useful account of the Afro-American life cycle and suggests the potentiality of similar regional studies. Gregory A. Stiverson uses surveys of two proprietary manors in the 1760s as sources for landless tenants, a status that by the end of the colonial period included the majority of household heads in Maryland. These surveys yield information on family size, estate values and housing as well as interesting comparisons between regions.

Other essays describe economic and political institutions in the process of development and change. Gary L. Browne argues that the panic of 1819 undermined the traditional elite and allowed the emergence of a commercial group with values and financial institutions more appropriate to new economic realities. Successful adaptation is also treated in Donald McCauley's article on farming in Prince George's County from 1860 to 1880. Here the resources of nearby urban centers were utilized to facilitate agricultural recovery. David A. Bohmer's essay on electoral alignment in Kent and Frederick Counties assesses the influence of regional characteristics and personal attributes on voting patterns in the new republic. In "The Structure of Baltimore's Politics in the Age of Jefferson" Frank A. Cassell shows how organizations like the militia functioned as informal political structures in the absence of local party institutions. And Whitman Ridgway tests a hypothesis about the composition of local elites and the stages of social development in three Maryland communities in the 1820s and '30s. His essay is as much a showcase for methodology as a contribution to local history. Finally, Jean Baker's study of the Know-Nothing Party in Maryland traces its origins in 1853 to "a dramatic readjustment of political allegiances" (p. 323).

As a collection of recent work in Maryland history this book is clearly outstanding. Its deficiencies stem from the multiplicity of purposes it seeks to serve. The volume begins and ends with tributes to Morris Radoff—the first a biographical essay written with felicity and affection by Aubrey C. Land; the second, a bibliography of Radoff's writings compiled by Frank F. White, Jr. The opening paper by Jacob M. Price sustains the theme by using materials organized by Dr. Radoff to analyze the complicated Maryland Bank Stock Case in the Revolutionary period. But neither the biographical essay nor the first paper serves to introduce the subsequent collection. Indeed, Price's article seems strangely discrepant with the rest of the volume in both subject and style, the latter being marred by needless parentheses that substitute for good writing. These defects, however, are minor. The book stands as an important contribution to the scholarly literature on Maryland and as an example of the best kind of local history.

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MARGARET W. MASSON

Maryland: A Picture History, 1632–1976. By Carleton Jones. (Baltimore: Bodine & Associates, 1976, Pp. 176. \$19.95.) *Philadelphia: Portrait of an American City.* By Edwin Wolf II. (Harrisburg, Pa.: Stackpole Books, 1975, Pp. 351. \$24.95.)

The natural child of social history sired upon journalism, pictorial history has become a type to be reckoned with in the Kodak-Land of postwar America. With every camera owner a kind of proto-historian, the field of graphics is vast; thus pictorial histories of every conceivable subject have appeared. Families and film stars, sea battles and thoroughbreds, criminals and presidents, clipper ships and comics all have their histories in pictures. As a relatively new type, however, the pictorial history is without a criterion, for it cannot be judged wholly by conventional historical standards, nor must it be regarded as purely expensive journalism. Catching its audience somewhere between the study and the breakfast nook—doubtless at the coffee table—its tone must be thoughtful but not studied, its pace swift yet not rushed.

If its subject, audience, and style condition it as a form of popular history, two other features distinguish pictorial history from the standard type. First, it seldom plies an original thesis (nor will it usually "scoop" a newspaper). As "consensus history" it repackages fact and theory, distinguishing itself as much by its aesthetics as by its record-reporting. The judicious use of white space or the crowded page, the placement, size, and tint of the pictures are its punctuation marks. It is graphic technique that ultimately signals emphasis. And because the pictures are the backbone—indeed the facts—of the type, when an important picture cannot be had, the author must approximate it in sharp,

concrete, and imagistic prose. As the narrative text connects picture with picture, the caption text evokes what each picture silently suggests. In the captions, the author must record germane facts, but he must also "read" the pictures to draw inferences supporting the book's line of development.

Second, the subject must be old or long enough to justify this development yet provincial enough to allow a graphic intensity. In these ways, things and places are the heart of the pictorial history. A portrait of John Eager Howard as a young man is just that; a picture of him thirty years later is that only of an older man. While there is a development, the two pictures themselves do not bespeak it. Yet a sketch of the Chesapeake & Ohio Canal in 1850 and a photograph of it in 1938 tell a mighty tale. The boats on its tide, the people and foliage—or jerrybuilt housing—along its banks tell us much of its development and allow us to infer much from that development. This reliance on things is why there cannot properly be a pictorial history of, say, philosophy or of literature, for there the pictures would be more adjunctive than essential. Pictures of poets and philosophers would not grant the inferences that pictures of things do. What the pictorial history ultimately attempts is to make us naturalized citizens of another time, the class of our citizenship depending upon the intensity of its treatment.

Both Carleton Jones's *Maryland* and Edwin Wolf's *Philadelphia* achieve this civil objective. They are rich books, with 500 and 600 pictures respectively. Both steep us in local lore, facts, "firsts," and curiosities that help recreate their subjects from the seventeenth century. Both highlight the most crisp recent memories (e.g. the tall ships in Baltimore, the Mummers parade in Philadelphia). Both embalm local celebrities (e.g. Mayor McKeldin and Princess Grace). And both are positive and even merry about the histories of their subjects. Such features are staples in pictorial histories that would engage a lay audience.

But beyond these staples, the two books are different. *Maryland* is to *Philadelphia* what a movie is to a slide-show. *Maryland* is a pictorial history; *Philadelphia* is a history with pictures. Though his scope is statewide, Carleton Jones lets the pictures convey Maryland's development. They are dramatic; cut-outs, ovals, silhouettes, drawings, and engravings preserve Marylanders from Cecil Calvert to Earl Weaver and scenes from Antietam to the Preakness. Mr. Jones's captions spin sprightly off their pictures, never noting what is obvious in them. There are some flaws, certainly. Most readers would welcome at least one modern map. Youth might want to know just why Millard Tydings was purged by the New Dealers (p. 129). Frederick Countians will be outraged that Mr. Jones has ceded Emmitsburg to Carroll County (p. 37). Purists will fuss at the suppression of dates for some pictures, and everyone will grouse about the exclusion of his own favorite place or Marylander. (I, for one, adamantly think John Barth's claim for inclusion to be stronger than Tecumseh's, but it is the Shawnee chieftain and not the Eastern Shore novelist who is nonetheless depicted.)

But these are quibbles. It is remarkable that with such a wide campus to scout, Mr. Jones has produced the quality of pictorial history that is *Maryland*. His list of sources alone attests to the number of difficult decisions for inclusion or exclusion of pictures. In introductions pinpointing the crucial events of the specific periods, he has given us an epitome of local history whetted by a lively style happily familiar to readers of his Baltimore *Sunday Sun* articles. In an unindexed pictorial history, retrieval of facts is haphazard, but in Mr. Jones's discovery of them is always pleasant.

Mr. Wolf's portrait of Philadelphia is longer in text and wealthier in pictures, but it is not as dynamic as *Maryland*. On standard grounds, it is better history. Moving from 1609 to 1976, *Philadelphia* contains long and lucid accounts of segments of the city's history. Always descriptive, Mr. Wolf—Librarian of the Library Company of Philadelphia—avoids the speculative, cruising close to the facts. His 1860–1876 chapter is a little

gem of historical writing that catches a city on the brink of war, as the vying for political ascendancy, the problems of enlistment, and the urban violence quicken its spirit. Through it all the main line of Philadelphia's development is conveyed by the text. The pictures, many in color, enhance that text, but we are always aware that text and pictures do not form a tissue. The prose is primary, the pictures auxiliary. The book's static format precludes the coffee-table audience of the pictorial history and makes it worthy of more careful attention. One might wish that its text be deepened a bit, that some pictures be pared, and that the book emerge less as a history with pictures and more as a standard historical study. But, then, Mr. Wolf may have it both ways in *Philadelphia*. Both scholar and journalist can envy him it.

Towson State University

H. GEORGE HAHN

Henry Harford: Last Proprietor of Maryland. By Vera F. Rollo. (Lanham, Md.: The Maryland Bicentennial Commission, Harford County Committee, 1976, Pp. xviii, 236. \$7.95.)

"Henry Harford is known best in Maryland as the person for whom Harford County, Maryland, is named. Informed residents of the county and state also know him as the last Proprietor of Maryland and the son of Frederick Calvert, sixth and last Lord Baltimore. Very few persons can tell you more than these sparse facts" (p. xi). Vera Rollo, who by her past writings has demonstrated her enthusiasm for Maryland history, is correct in her assessment of the little which has been known about Maryland's last Proprietor, both among informed citizens and professional historians. To overcome the paucity of information about Harford, Rollo undertook this study, which is an expansion of her University of Maryland Master's thesis. In her preparation she made use of sources not only in this country but in England as well. The result is that we now have a well-documented, carefully prepared account of the last Proprietor with particular focus on his relentless efforts to secure compensation for his losses in Maryland as a result of American independence. Unfortunately, the portrait of Harford, "because of the lack of personal letters and journals" (p. 129), is more two—rather than three—dimensional in scope. One can only hope with the author that such sources will someday come to light.

Born in 1758 to Frederick Calvert, Sixth Lord Baltimore, and his Irish mistress, Hester Rhelan, alias "Mrs. Harford," Henry Harford was his only son. "It is curious," notes Rollo, "that it was Henry Harford who gained the proprietorship of Maryland and the bulk of the Calvert fortune, rather than the legitimately-born descendants of the Calverts" (p. 35). The explanation lies in the skillful maneuvering of Harford's father, the appointment and dedication of Sir Robert Eden as provincial governor, and the construction of the Sixth Lord Baltimore's will. As the course of events revealed, young Harford was not to enjoy the fruits of proprietorship since the American Revolution cut short his opportunity to exercise such powers. With the war's close, he set out for Maryland determined to seek some compensation for his losses in lands and quitrents, especially in view of the settlements provided the Penn family and Thomas, Lord Fairfax, by the Pennsylvania and Virginia legislatures respectively. Remaining in Maryland for more than two years, Harford returned to England "... without a pound of payment, save for those few debts contracted to him prior to the Declaration of Independence" (p. 88). More than a few reasons account for his dismal results, including his unwillingness, as a loyal subject of the Crown, to come to Maryland during the war for the purpose of taking an oath of allegiance to the Patriot cause. Later, Harford appealed to the British government under the provisions of the Compensation Act (1783) and as a consequence received about 90,000 pounds. He also was to receive, strangely enough, some compensation from Maryland amounting to 10,000 pounds, a deduction from the Bank of England stock valued at

29,000 pounds and held in the name of Maryland. Through doggedness Harford was able to collect from the British government, over more than a quarter of a century, £120,398, which must have assuaged somewhat his feelings regarding the treatment accorded him by the State of Maryland.

Of the book's 236 pages, no more than 100 comprise the text. In addition to many illustrations and a foreword by Dr. Morris L. Radoff, Archivist Emeritus, State of Maryland, there are eight appendices which include such documents as the Will of Frederick Calvert, Sixth Lord Baltimore; Memorial of Henry Harford, Published by the General Assembly of Maryland, 1786; Case of the British-American Claimants; and the Will of Henry Harford, Esquire. Descriptions of the Great Seal of Maryland, the state flag and state flower at the end of the volume are quite superfluous.

Montgomery College

WILLIAM LLOYD FOX

Allegany County—A History. By Harry I. Stegmaier, Jr., David M. Dean, Gordon E. Kershaw, and John B. Wiseman. (Parsons, West Virginia: McClain Printing Co., 1976. Pp. xii, 474. \$10.00.)

A Grateful Remembrance; The Story of Montgomery County, Maryland. By Ray Eldon Hiebert and Richard K. MacMaster. (Rockville, Md.: Montgomery County Government and the Montgomery County Historical Society, 1976, Pp. xiii, 422. \$10.00.)

Worcester County, Maryland's Arcadia. By Reginald V. Truitt and Millard C. Les Callette. (Baltimore: Waverly Press, 1977. Pp. xxii, 579. \$10.00.)

As these three books demonstrate, one of the major achievements of the bicentennial in Maryland was the publication of detailed, carefully researched county histories. For residents of a particular area, county histories can help to provide a much-needed sense of place at a time when American culture is becoming increasingly homogenized. For serious historians, county histories provide foundations either for broader studies such as state histories or for works narrowly focused on specific aspects of social and economic development. Because the authors of these books recognized that many developments within the counties could be comprehended only in a larger context, the reader learns almost as much about the Eastern Shore, central Maryland, and western Maryland as he does about Worcester, Montgomery, and Allegany counties.

Regional history receives considerable attention in each of these studies partly because each of these counties was formed from a larger political unit, and each in turn relinquished territory to new political units. Worcester, the state's easternmost county, was carved in 1742 from Old Somerset, had disputed borders in colonial times with both Pennsylvania and Virginia, and yielded land when Wicomico County was formed in 1867. Both Montgomery (1776) and Allegany (1789) were carved from the large expanse of colonial Frederick County; Montgomery subsequently yielded Georgetown and other territory to the District of Columbia, and Allegany lost about one-half of its territory and one-fourth of its population when Garrett County was formed in 1872.

Unlike the other two books, *Worcester County, Maryland's Arcadia* is not organized chronologically. After a chapter each on exploration and early settlement, the book has chapters on such topics as towns, mills, farming, education, and religion. Perhaps the most interesting chapter is the one on Assateague. In its early history Assateague was a haven for pirates; in the 1920s it was used to bring bootleg liquor into the country; and in the 1950s and 1960s it was the focal point of a clash between developers and preservationists. Aided by a storm in March 1962 which destroyed most of the cottages which had been built on the barrier in the 1950s, preservationists achieved a major victory when Congress in 1965 created the Assateague National Seashore. The rapid development of motels, vacation homes, and condominiums in Ocean City and other parts of the county

have transformed Worcester in recent decades from a largely agricultural county to a tourist-oriented one.

What is especially interesting about the book by Hiebert and MacMaster on Montgomery County is to realize how recently the county became a great suburban population center. In 1790 the county's population, composed mostly of farm families and slaves, was 18,003; by 1920 it had grown to only 34,921 and, although a few suburban towns had developed since the 1880s, it was still largely agricultural. Spurred in the 1920s by the widespread availability of the automobile, in the 1930s and 1940s by the growth of the federal government during the New Deal and World War II, and since the 1940s by the continuing growth of the federal government and the influx of corporations which have wanted to have branches in the Washington area, Montgomery County's population grew to 83,912 in 1940, 340,928 in 1960, and 566,030 in 1973. Although the entire book is worthwhile, anyone interested in the development, achievements, and problems of contemporary, metropolitan American would benefit especially from reading the final one-third of this book.

Whereas Montgomery's recent prosperity has resulted largely from government spending, Allegany has had to depend on transportation, coal, and industry. Before the Civil War Allegany was a major transportation center: the National Road, The Baltimore and Ohio Railroad, and the Chesapeake and Ohio Canal all stimulated the county's economy. The future of the county continued to look bright for a half-century after the Civil War as coal mining and railroad transportation continued to expand, and as numerous manufacturers were attracted to the area. But by the 1920s the most accessible coal had been mined, and the Great Depression forced many industries to close permanently. Despite outmigration after World War II, unemployment continued to be chronically high even in the prosperous 1960s. The county's future—like that of many industrial regions in America—remains very much in doubt.

The four professors at Frostburg State College who wrote *Allegany County—A History* have told the county's story well. Although the authors of the other two books have provided a wealth of useful information about their counties, these authors also have conveyed a sense of how people actually lived and what the towns looked like at various times. They have explained convincingly why Allegany's economy has been variable and uncertain, and they have demonstrated once again that failure and disappointment are as American as success and hope for the future. Perhaps more than the studies of Worcester and Montgomery, their book is an impressive contribution to Maryland history.

RALPH B. LEVERING

The Antislavery Appeal: American Abolitionism after 1830. By Ronald G. Walters. (Baltimore & London: Johns Hopkins University Press, 1976. Pp. xvii, 196. \$11.00.)

"We may never learn precisely why people became abolitionists, and the fact is we do not need to know what brings individuals to a movement to understand the movement itself" (p. xii). Starting from this standpoint *The Antislavery Appeal* bypasses the search for motivation in favor of delineating "the institutional, cultural, and social parameters of abolitionism" (p. xiv). Among other things these cover the strategy and tactics of the movement; notions of religion, morality, and control of passions; the role of the family; industrial progress; and the destiny of the republic. "The movement itself," it is contended, was a cultural product of its time, and as such necessarily partook of a shared community of values, ideas, and attitudes that transcended not only the known differences among the abolitionists themselves, but, to a large degree bridged the gulf between them and the rest of society, even their opponents. Not surprisingly, the abolitionists, despite the

tumult and acrimony that surrounded them, turn out to be more like the times they lived in than like their present-day admirers; the roomy abolitionist woodpile seems to have contained nobody but us Americans after all. To some extent this is an essay in consensus history, and not everyone will go along with what are sometimes strained efforts to bring all the abolitionists under a single red, white, and blue tent, but these efforts are widely knowledgeable and informative, and frequently perceptive and thought-provoking. As a result *The Antislavery Appeal* is a valuable guide to both the abolitionist mind and the logical-emotional milieu of antebellum society.

At the same time, given that what this book sets out to do is "to comprehend why abolitionists perceived slavery as they did after 1830" (p. xv), it may be questioned whether its method is constitutionally equipped to handle the job. It aims "to ask what was antebellum and American about antislavery rather than to ask what was peculiar about abolitionists. That is contextual rather than causal history . . ." (p. 147). Certainly such history is "a legitimate endeavor" (*ibid.*), but it comes close to being taxonomic, and if the intention is to move beyond this to "comprehension," then a too easy disregard of motivation is a mistake. Were there simply piles of cultural options lying around out there for an alienated generation to pick from? Surely, abolitionists' options became such only through their actually being chosen, and that's what made them real options. In that case it's the choosing *and* the culture that needs studying together. Can we comprehend why the abolitionists created-and-embraced immediatism without reference to the will, desire, and choice that directed them to it? In reality *The Antislavery Appeal* does not merely concentrate on what the abolitionists *found* in their culture but what they *made* there, and that has to be a function of what they brought to it. The problem is after all to explain something, and to do that "contextual" history necessarily becomes "causal" history.

The way this works can be seen in the treatment of what is probably the most significant single factor in the rise of radical abolition: revivalistic religion. We are told that "Important as revivalism was . . . it clearly was not sufficient in itself to explain the rise of antislavery" (p. 39); that "Somewhere along the way a number of Protestantism's most loyal sons and daughters began to doubt whether that religion would ever be in the vanguard of social and moral reform" (p. 42). All this is true, but why was this so disturbing to them? Why did antislavery come to be more precious than religion, to become in fact the test of religion? Until we find some satisfactory explanation for this striking development we are not going to comprehend how a conservative religious movement became the spearhead of radical reform.

The best that contextual history can tell us on this point is that "Much of the appeal of antislavery lay in this ability to merge essentially religious impulses and spiritual discontent into a constructive, acceptable social role" (p. 53). Quite aside from the fact that the demand for immediate abolition was seen for a long time as socially destructive and unacceptable, it is just this "ability to merge . . . religious impulses" that we need to hear more about. For while the evangelical elements in the antislavery cause may be correctly identified and catalogued in the general context, we still want to know why social reform came to be the one thing needful among them, the survivor of what must have been a spiritual-ideological inner fight to the finish. Such a task demands that the attempt be made to deal with motivation, no matter how admittedly problematic the endeavor. Especially is this the case if our "interests are . . . in how men and women firmly embedded in a particular culture could turn against a well-entrenched institution" (p. xiii). The question then becomes not whether we need to deal with motivation, but how we can afford not to.

Cornell University

FRED SOMKIN

County Court Records of Accomack-Northampton, Virginia, 1640-1645. Edited by Susie M. Ames. (Charlottesville, Virginia: The University Press of Virginia, 1973. Pp. xviii, 494. \$17.50.)

The Virginia Historical Society is to be thanked for publishing this second volume of Accomack-Northampton County records, which are among the oldest records of local government in the North-American English colonies. The more such records are made available in print, the more likely are historians to recognize their value as sources of social and economic as well as legal history.

In Virginia and Maryland the colonial county court was a chief agency of local government. The justices had jurisdiction over the criminal offenses and civil disputes most likely to arise in their communities and conducted preliminary hearings in cases so serious that trial was in a higher court. (pp. 177-79). They also administered public services. For example, they regulated relationships between masters and servants and ordered payment of freedom dues (pp. 212, 319); they decided where public ferries should be operated (p. 392), where roads should go, and appointed local officers to see that the inhabitants kept roads in repair; they ordered the sheriff to collect the taxes (p. 89) and to make such disbursements as they decided should be paid for expenditures on county business (p. 450); they appointed guardians for orphaned children (p. 86) and heard complaints against guardians (pp. 212-13). In Virginia, the courts acted as the agency to oversee the settlement of probated estates (pp. 46-49, 61) and in Maryland the county justices administered poor relief. In both colonies the court was an agency for recording land conveyances (pp. 397-98), bills of sale (p. 370), powers of attorney (pp. 144-46), cattlemarks (pp. 37-40), and other documents (pp. 185-86). One way or another in these early communities the activities of the court reached every household.

Historians are learning to take advantage of this fact. Susie Ames, the editor of the volume, pioneered in the use of local records to reconstruct the economic and social organization of the early Virginia Eastern Shore. In recent years the availability of the computer has led to quantified analysis of probate records to examine wealth and social structure in various localities. There have also been studies of mobility based on the collective biography that local records make possible. Such community studies offer opportunities for testing hypotheses about social development—for example, the differential effects of age of settlement and natural resources on economic and social structure.

Publication of this volume moves a few years of county records from one archive to many libraries, a service in itself. But if publications such as this help arouse interest in local records, an even more important service will be rendered. Everywhere these records are decaying or suffering other destruction. Scholars must become an active constituency if record keepers are to obtain the funds necessary not only to preserve these sources but to make them accessible for furthering human knowledge.

St. Mary's City Commission

LOIS GREEN CARR

The Lonaconing Journals: The Founding of a Coal and Iron Community, 1837-1840.

Edited by Katherine A. Harvey. (Philadelphia: *Transactions of the American Philological Society*, Vol. 67, pt. 2, March, 1977. Pp. 78. \$7.50.)

The Lonaconing Journals is a unique book. It is a daily record of the events and problems generated by a project of constructing a complex iron industry out of the Western Maryland wilderness. Not even "The Manada Furnace Journal," which covers the same years, provides such a wealth of details.

However, *The Lonaconing Journals* stand alone in another respect. The George's Creek Coal and Iron Company, to which they relate, was a very unusual enterprise. The

partners proposed to found an industrial community, using advanced techniques, in an area where there was no prior development of shelter, labor, market, or transportation. Workmen were brought from Great Britain and Pennsylvania, houses were erected, iron ore and coal mines and limestone quarries were opened. A road and railroad were built to connect with the National Road, the Baltimore and Ohio Railroad, and the Chesapeake and Ohio Canal. The iron furnace was of a new design planned to adopt the latest techniques from England and still experimental in the United States, including a steam powered hot-blast and using anthracite coal or coke for fuel. It was one of the first to incorporate these three innovations in the same furnace.

The men responsible for the new enterprise were John Henry Alexander, an engineer employed by the state of Maryland, and Phillip T. Tyson, a member of a prominent industrial family of Baltimore. These two men kept the journals with periodic help from two managers at the works, Frederick Pauer and Charles B. Shaw. Stockholders and directors included Louis McLane, president of the Baltimore and Ohio Railroad and secretary of the treasury under President Andrew Jackson. Money came chiefly from New York and Baltimore bankers and the American Life Insurance and Trust Company.

Delays in building the works were created by unprecedentedly cold weather, heavy snows, bad roads, poor engineering in the mines and in the construction of a gravity railroad from the mines to the furnace. Legal problems arose from the opposition of Duff Green, another Jacksonian who owned mine property which could block egress from the George's Creek Valley. Another hindrance was caused by the frequent absences of Alexander and Tyson during which time supervision was by Shaw, who was in poor health.

Labor problems were severe. The Welsh workmen and their families were in frequent conflict with the Pennsylvanians. Regulations against drinking resulted in the dismissal of skilled workmen, especially blacksmiths, and the Quaker morality of the partners induced unwarranted interference in the private lives of workmen. Labor turnover, as a result, was high.

After building difficulties extending over several years, the iron furnace was finally in blast but, alas, was unsuccessful and soon blown out. The coal business, however, remained a profitable operation for many years. Professor Harvey related its history in her earlier book, *The Best Dressed Miners*.

The editor has chosen to intersperse valuable commentary with the text of the journals and as a result has supplied the reader with a smooth transition between text and explanation. The product is a work which should not be overlooked by students of early industrial, social or labor history.

This book appears as one of the series of "Transactions of the American Philosophical Society," and in the traditional double column pages of those publications. While this format is awkward for the reader, it is a small caveat to set against the major contribution to the scholarly world which this book represents.

Millersville State College

JOSEPH E. WALKER

The Five George Masons: Patriots and Planters of Virginia and Maryland. By Pamela C. Copeland and Richard K. McMaster (Charlottesville: University Press of Virginia for the Board of Regents of Gunston Hall, 1975. Pp. x, 341. \$17.50.)

This book is a family history of the Masons of Virginia and Maryland in the seventeenth and eighteenth centuries. It begins with the first George Mason who came to Northumberland County Virginia in 1651 or '52 and ends, in detailed treatment, with the fifth George Mason who died in 1796. The most thorough treatment is, of course, given to George Mason IV (1725-92), who is justifiably famous for his involvement with the Ohio

Company, his major influence on the Virginia Declaration of Rights and Constitution of 1776, and his role in the framing of, and opposition to, the federal Constitution of 1787-88.

The story of the Masons is interesting but familiar. The immigrant was of yeoman stock. Within ten years of his arrival he had obtained a substantial amount of land and become a member of the Stafford County Court, and he later served in the House of Burgesses from Stafford County. George Mason II (1660-1716) built on this solid foundation and emerged as a leading planter-business of the Northern Neck. By 1704 he owned 8,000 acres in Stafford County alone. His son, George Mason III (1690-1735), diversified his activities. He continued to acquire land which he leased to small planters, who in turn paid him in tobacco. He himself was never a major producer of tobacco, but he was, of course, substantially involved in the tobacco trade as a buyer and seller. He also, among other things, operated a fishery, ran a ferry, and was in partnership with John Mercer in a trading sloop operating in the Chesapeake Bay and its tributaries. Unfortunately, George Mason III drowned in the Potomac in 1735 when his eldest son George was just ten years old. His wife, Ann Thomson Mason, was appointed administrator of his estate. This remarkable woman raised three children and emerged as a highly successful planter-merchant and land speculator. When George IV came of age in 1746 the able management of his estate by his mother left him a "richer inheritance than his father had provided" (p. 86).

The history of the fourth George Mason is well known. He inherited great wealth and as a successful planter-businessman he became one of the wealthiest men in Virginia. Unlike his father and his grandfather, he also emerged as one of Virginia's most important political leaders. It was not a role that he enjoyed. His family and his plantations always came first, but events leading up to the Revolution thrust this able man into the forefront of public affairs and kept him there through the framing and ratification of the Constitution in 1787-88. No subsequent Mason attained his wealth or position, although his son John was a highly successful businessman in his own right.

The Mason family follows, then, the pattern of a number of Virginia families in the seventeenth and eighteenth centuries. Arriving in the middle of the seventeenth century, the first three or four generations accumulated wealth and attained political status. From the middle of the eighteenth century on, a stable or declining situation began which the Revolution facilitated. The nineteenth century usually finds these families in relatively modest circumstances.

This book includes much interesting and useful information. It stresses the close relationships, both social and economic, that existed between Virginians and Marylanders who lived on the shores of the Potomac and affords interesting insight to the Northern Neck of Virginia which produced so many important Virginia families, including the Washingtons, the Lees, the Mercers, and the Masons. The treatment of Indian-white-relations in the seventeenth and early eighteenth centuries is of special interest and this highlights the fact that in the late 1600s and early 1700s the Northern Neck was still a frontier area.

Unfortunately, this study is poorly organized and the text is cluttered with genealogical information that makes reading difficult. In fairness, it was initially conceived as an aid to the Regents of Gunston Hall in interpreting George Mason's life, but even in this context, more thought and care should have been given to organization and interpretation. The raw material for an excellent study is here but further digestion is necessary. The text is also marred by numerous typographical errors.

But despite these criticisms, the book does provide additional understanding of an important Virginia-Maryland family and reminds all of us that the Northern Neck of Virginia is a region about which we need to know much more.

University of Maryland

EMORY G. EVANS

Military Necessity and Civil Rights Policy: Black Citizenship and the Constitution, 1861-1868. By Mary Frances Berry. (Port Washington, N. Y.: Kennikat Press, 1977. Pp. x, 132. \$8.95.)

From the varied, complex events and forces that led President Abraham Lincoln and the United States government to embrace an emancipation policy during the Civil War, Mary F. Berry has singled out as overriding the military urgency for the large-scale use of black soldiers. Almost a third of this short book is devoted to the pre-Civil War period; since the role of blacks in earlier American wars was limited and only reluctantly granted, Berry argues that there had been neither improvement in the legal status of blacks generally nor concessions of citizenship status for black soldiers and veterans.

In the Civil War, however, the United States government came to regard the extensive use of black soldiers as crucial for victory over the Confederacy. "As a result of the enlistment of about two hundred thousand blacks in the military service," Berry concludes, "not only was it necessary for the national government to abolish slavery, but to settle the legal status of blacks generally by recognizing them as citizens." She argues additionally that the civil rights measures of the Reconstruction era, such as the Civil Rights Act of 1866 and the Fourteenth Amendment, were the logical outgrowths of war-time developments and were based in significant measure on traditional notions of military enlistment policy and citizenship status that had developed in the antebellum period.

While much of this ground has been covered by other historians, the sharp focus in this study on military necessity as the *sine qua non* for black gains is interesting. Indeed, Berry closes the book with a rapid glance at America's wars in this century and ends with this prophecy: "Based on the antebellum and Civil War experiences, if the resolution of a military or other crisis should dictate egalitarian racial policy solutions, the law will be interpreted to permit such solutions, or the Constitution will be amended."

Duke University

ROBERT F. DURDEN

Colonel Harry Gilmore's Raid Around Baltimore. By Robert E. Michel. (Baltimore, Md.: Erbe Publishers, 1976. Pp. 44. \$5.00.)

Excitement and alarm ran high throughout the Western Shore of Maryland in the summer of 1864. Hagerstown, Middletown, and Frederick fell prey to another invading Confederate army and much to the despair of their citizens paid tribute to escape destruction. General Lew Wallace's attempt to stop the Southern advance at Monocacy was quickly swept aside, exposing both Washington and Baltimore to possible attack and siege by General Jubal Early's army.

Early's principal intention was to threaten the capital, but there were other objectives to be accomplished in Maryland as well. The destruction of rail and telegraphic communications between Washington and the north was a high priority. This task was assigned to General Bradley Johnson and his men, but it was to be Major Harry Gilmore's cavalry unit which was to strike as far north as Magnolia to destroy rail lines, capture two trains and a federal General, and harass the countryside surrounding Baltimore.

Robert E. Michel's small pamphlet is an account of this raid which took Gilmore from Frederick to Magnolia and back around Baltimore to rejoin Johnson and Early before Washington. Unfortunately the narrative is flawed. The extensive use of extracts from newspapers mars rather than aids the flow of narration. The resulting product is uneven and lacks a full digestion and synthesis of material. Surprising and disappointing is the failure of the author to examine thoroughly some of the controversies sparked by the raid, such as the arrest of General Franklin and the conduct of Gilmore's men at Magnolia. However, Michel does verify a number of points in Gilmore's sometimes questionable autobiographical account of his wartime activities in *Four Years in the Saddle*. Readers

will find Michel's map of Gilmor's route helpful and the addendum, containing a roster of his men, will have appeal to some.

Georgetown University

RICHARD R. DUNCAN

Rural Pennsylvania Clothing. By Ellen J. Gehret. (York Pa.: Liberty Cap Books, George Shumway, Publisher, 1976. Pp. 309. \$25.00.)

The main purpose of this book, as stated in the beginning pages, is to be a guide for making reproductions of rural clothing worn in southeastern Pennsylvania during the latter half of the eighteenth century and the early nineteenth century. According to the authoress, her guide started as a pamphlet for the Goschenhoppen Historians, Inc. The area of their interest is Montgomery, Bucks, Lehigh and Berks Counties. Mrs. Gehret researched wills, inventories, sale bills, account books, and other listings to determine what the wardrobe of an early rural man or woman contained. Six of these documents are reprinted in this book. The original garments featured in *Rural Pennsylvania Clothing* were selected by Mrs. Gehret from collections of costume museums and historical societies in Pennsylvania. She presents her guide with 103 drawings of patterns and illustrations for sewing, needlework, and knitting. There are step-by-step directions for making the garment. The guide contains 192 black and white photographs of these original garments, four pictures of early sketches and a painting, which show the rural farmers wearing their clothing, and nine photographs of men and women wearing the reproductions. Other early methods involved in making rural clothing and accessories are brought to light. There is a section on preparing and boiling cow horn for cutting buttons. Also included are directions for working "mice teeth" on a shirt cuff, and recipes for dyeing a hat black. In the first chapter Mrs. Gehret gives the reader an introduction to the early fabrics, colors of the fabrics, and basic stitches used by the seamstress or tailor. The following chapters are devoted to typical everyday wearing apparel of rural men and women, clothing common to both men and women, decorative needlework, and "General Appearances", a chapter of excerpts from Pennsylvania German newspapers advertising for runaway servants. This chapter ends with an interview of an old resident of Emmitsburg, published by *The Emmitsburg Chronicle*, 1908.

Mrs. Gehret instructs one to make the clothing *as it was made by the early German immigrants of Pennsylvania*, mentioning fabrics available on today's market, and close in kind to the handloomed fabrics used by the early Pennsylvanians. (The completed reproductions will be "historically accurate", as they are to be made with the same type of fabric, patterned after the original garment, and sewn with similar hand-stitches.) She states that the one planning to make the reproduction should already have a fundamental knowledge of sewing and the construction of clothing.

I think that the book does guide the reader correctly in making reproductions of eighteenth and early nineteenth-century garments. But apart from the Goschenhoppen Historians, I can not think of an individual or group interested in hand-making reproductions. Even the reproductions completed at Colonial Williamsburg are now machine made, with only the outside work being sewn by hand.

As well as serving the purpose of a guide for constructing clothing reproductions, *Rural Pennsylvania Clothing* can be used for the study and research of early wearing apparel. In addition it can be used to study period garments from a territory more widespread than the Pennsylvanian German Community.

It is probable that this same type of clothing was worn southwestward across the Appalachian Mountains, into Maryland, part of Virginia, western Pennsylvania, Ohio, the Carolinas, and other regions where southeastern Pennsylvanians moved and settled. Furthermore the study can be looked upon as a reference source for costumes of the

period in general. From my own examination of eighteenth and early nineteenth-century wearing apparel, I can verify the fact that the same tailoring and dressmaking details appear in clothing of this period worn by individuals from different classes of society.

Rural Pennsylvania Clothing contains an index and a glossary of clothing and textile terms, many of which are not defined in a standard dictionary. Some terms are the "Pennsylvania High German" words. The bibliography is a collection of source material for further study, with more guides and recipes listed.

We have chosen *Rural Pennsylvania Clothing* to use as a reference for the cataloging of costumes. (It is especially strong in the area of Men's costumes.)

Maryland Historical Society

JUDITH MARIE CORAM

BOOK NOTES

Waiting for the 5:05. Terminal, Station, and Depot in America. Compiled by Lawrence Grew. Introduction by Clay Lancaster. (New York: Main Street/Universe Books, 1977). Pp. 128. More than an account of commuter runs and stations, this fascinating collection of photographs and other illustrations with an unpretentious text sketches the history of the railroad depot in America. Inevitably in such a volume, there is much of interest to Marylanders. The first railroad station, Mount Clare, is pictured, and the cover illustration is of the intriguing Point of Rocks station. Four other stations in Baltimore are shown, and depots in Relay, Manover, Frederick, and Cumberland are included. The 1851 B & O station in Washington, D. C., and its eventual replacement, the Union Station, are other features. But in stressing items of local interest one must note the larger scope of the volume. The illustrations are clearly the best part. The text assumes enthusiastic interest by the reader. The volume rates a careful look today and tomorrow as well when fewer stations may remain to be studied. [Fred Shelley]

Records of the Columbia Historical Society of Washington, D.C., 1973-1974. Edited by Francis Coleman Rosenberger. (Washington: Columbia Historical Society, 1976. Pp. xxv, 662. \$20.00.) This 49th volume continues the series of publications begun by the Columbia Historical Society of Washington, D.C. in 1894. It is a sizeable (662 pages) collection of mainly scholarly articles that fall into several loose categories. Under what could be labeled as "the politics of science in Washington, D.C.," are several good selections such as those on Frederick Law Olmstead's brief career as Secretary of the Sanitary Commission during the Civil War, and on Thomas Ewbank, the controversial Commissioner of Patents from 1849 to 1852. Five articles analyze Washington's residential neighborhoods through the use of social science methodologies. Paul Groves' examination of black segregation in Southwest Washington contrasts nicely with Roderick French's essay on Chevy Chase and Susan Myers' discussion of Capitol Hill to provide an explanation of how some of Washington's most interesting neighborhoods developed. Like the majority of articles in the book, these three concentrate on the late nineteenth-century period. Other categories that are discernable in the collection are those on monuments, architecture, and the arts; foreign visitors' views of Washington; journalism; the economic development of the city and region; and a few brief personal reminiscences tossed in at the end of the volume. All together there are over thirty articles of varying quality which defy any attempt at a brief review. Chances are, however, the reader who finds Washington a fascinating city will find much here to suit his or her interest. [Dean R. Esslinger]

Richmond: The Story of a City. By Virginius Dabney. (Garden City, N.Y.: Doubleday and Company, Inc., 1976. Pp. xvii, 412, \$12.95.) For those readers who find the "new urban history" with its emphasis on social science methodologies discomfoting, here is a book that ought to suit their taste. Virginius Dabney, long-time editor of the *Richmond Times-Dispatch*, has written an old fashioned urban biography that tells Richmond's story from its earliest origins in the time of William Byrd, II to the mid-seventies. As a city that saw national figures like Thomas Jefferson and John Marshall play a part in its history and as the capital of the Confederacy, Richmond's past has an appeal that goes beyond local history. While it is not a major achievement in urban history, Dabney's book is rich with the details, personalities, and dramatic or unique events that make local history interesting. Despite the dustjacket claims of new information, *Richmond* is based largely on secondary sources. There is a sizeable bibliography of books, pamphlets,

magazines, and unpublished theses, but few references to primary sources. The minimum of footnotes confirms the impression that it was written for a large popular audience where it ought to do well. [Dean R. Esslinger]

Researching, Writing, and Publishing Local History. By Thomas E. Felt. (Nashville: American Association for State and Local History, 1976. Pp. xiv, 165, \$6.00.) This neat little paperback is the successor to *Local History, How to Gather It, Write It, and Publish It*, which was sponsored several decades ago by the Social Science Research Council. More detailed information on research and writing can be found elsewhere in old standbys like Barzun and Graff's *The Modern Researcher* or the University of Chicago's *A Manual of Style*, but Mr. Felt aims his advice at the particular problems of local history. The sections on oral history, photos, and the use of physical artifacts are especially helpful to the novice. Most valuable, however, is the chapter on publishing which takes the would-be author or historical agency through each step in publication beginning with "Design Considerations" and ending with "A Note on Pricing." Most readers will find it easy to use only those parts of the book that serve their particular needs. It is nicely written with a touch of humor but it is ironic that the book contains a noticeable number of typographical errors. [Dean R. Esslinger]

STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION (*Required by 29 U.S.C. 3685*). 1. Title of Publication: *Maryland Historical Magazine*. 2. Date of filing: Sept. 28, 1977. 3. Frequency of issue: quarterly; most subscriptions included in membership dues. 4. Location of known office of publication: 201 W. Monument Street, Baltimore 21201; 5. Location of headquarters or general business office: 201 W. Monument St., Baltimore, Md. 21201; 6. Names and Complete addresses of publisher, editor, and managing editor Publisher: Maryland Historical Society, 201 W. Monument St., Baltimore, Md. 21201. Editor: Dr. Gary Browne, University of Maryland Baltimore County, Managing Editor: P. William Filby, 201 W. Monument St., Baltimore, Md.; 7. Owner: Maryland Historical Society, 201 W. Monument St., Baltimore, Md. 21201; no stock—non-profit organization. 8. Known bondholders, mortgagees, etc.: none. 9. Have not changed status during preceding 12 months. 10. Extent and Nature of Circulation. A. Total number of copies printed, (each issue): 5,685; B.1. Sales through dealers and carriers, etc.: none; 2. Mail Subscriptions: 5,324; C. Total paid circulation, 5,324; D. Free Distribution by mail, etc.: 90; E. Total Distribution: 5,449; F. Copies not Distributed, 1. Office use, left over, unaccounted, etc.: 236; 2. Returns from News Agents: none; G. Total: 5,685.

I certify that the statements made by me above are correct and complete. P. W. Filby, Director, Maryland Historical Society.

NEWS AND NOTICES

TWELFTH ANNUAL ARCHIVES INSTITUTE

The Georgia Department of Archives and History will hold its Twelfth Annual Archives Institute in Atlanta from July 24 through August 18, 1978. General instruction in basic concepts and practices of archival administration; experience in research use, management of traditional and modern documentary materials. Program focuses upon an integrated archives/records management approach to records keeping and features lectures, seminars, and supervised laboratory work. Instructors are experienced archivists and records managers from a variety of institutions. Emphasis is on appraisal, arrangement, and description of both governmental and private records. Other topics include records control and scheduling, reference services, preservation techniques and archival administration. Enrollment is limited to 18 participants. Fee: \$225 for non-credit participants; \$576 for 6 quarter hours graduate credit from Emory University. A certificate is awarded to those who successfully complete the Institute course. Housing is available at a modest rate. Application deadline: May 15, 1978. For further information write: Training Officer, Archives Institute, Georgia Department of Archives and History, 330 Capitol Avenue, Atlanta, Georgia 30334.

WOMEN IN LOUISIANA COLLECTION

The Women in Louisiana Collection, a research and resource facility for women's programs and for the enrichment of Louisiana Studies, has recently been established at the University of Southwestern Louisiana as a division of the Center for Louisiana Studies. As the first women's archives established in the state, it joins the ranks of similar ones in Georgia, California and Minnesota. The Collection invites researcher inquiries as well as materials for deposit or donation. Please contact Dr. Vaughan Baker, Director, Women in Louisiana Collection, Dupre Library, University of Southwestern Louisiana, Lafayette, La. 70504.

REGIONAL CONFERENCE

The Regional Economic History Research Center, Eleutherian Mills-Hagley Foundation, will sponsor a conference on April 21, 1978, entitled "Elites and Economic Development, 1750-1850," in Wilmington, Delaware. Richard L. Ehrlich will chair the conference, and papers will be presented by Lee Benson, Whitman H. Ridgway, and Frederic C. Jaher. Stanley L. Engerman will serve as commentator. Further information may be obtained from William H. Mulligan, Jr., Assistant to the Director, Regional Economic History Research Center, Eleutherian Mills-Hagley Foundation, Inc., Greenville, Wilmington, Delaware 19807.

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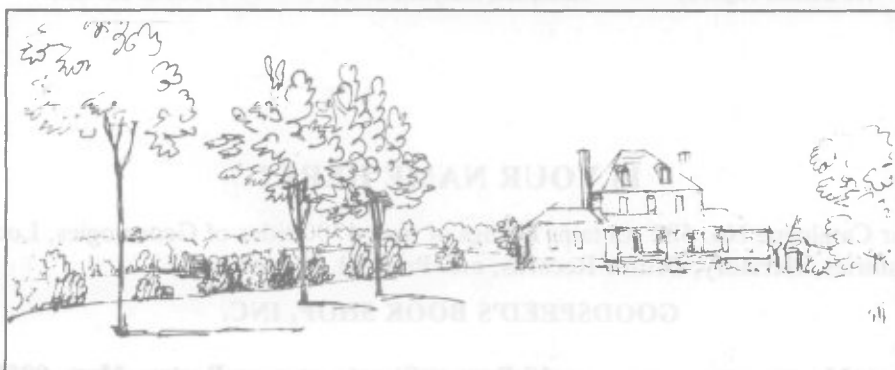
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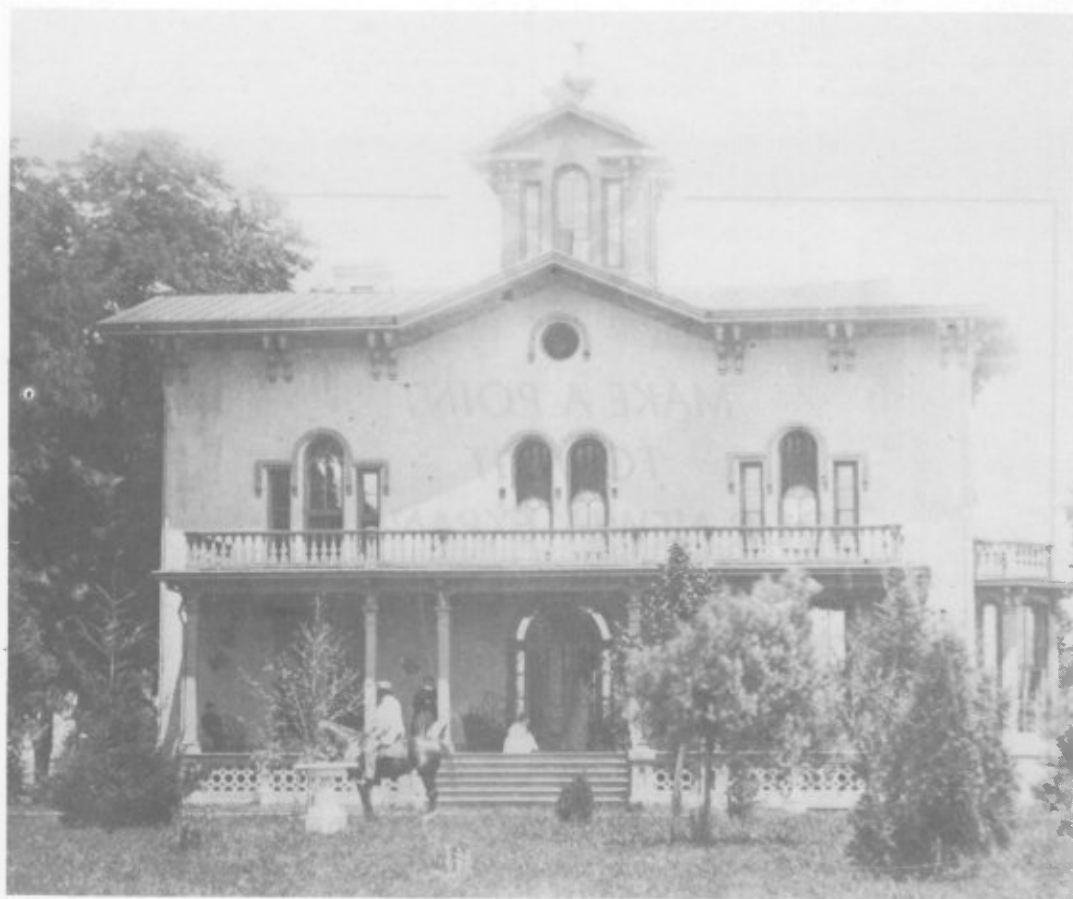
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