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Going Places

In 1897 Paul Gauguin created his overlarge masterpiece depicting Polynesians on Tahiti, representative of people everywhere, wandering through paradise but eminently concerned with things relevant to soul and civilization. Entitled "Where Do We Come From? What Are We? Where Are We Going?" and given ominous shadow and coloring, the painting challenged onlookers to consider life and meaning, identity and death.

Gauguin was not alone in wondering where he was going. At this winter's meeting of the American Historical Association, jargon- and theory-filled sessions all but ignored biography and intellectual, economic, and diplomatic history in favor of migration, memory, and identity. One word clearly dominated discussion. *Diasporas* of all sizes and shapes were on everyone's mind. Diasporas, not just the original sixth century dispersion of the Jews, and, alas, not of those marvelous navigators, the Polynesians—sprang like fashionable bouquets all across the agenda. Some were big: "Out of Ireland: Approaches to the Study of Irish Migrations to North America"; "Faith and Identity: Religion and Peoples of the African Diaspora"; "The Japanese Diaspora: the New World, 1869–1990." Others were smaller but in their intensity no less impressive, such as "Alcohol and Diaspora among Nineteenth-Century Anishinaabeg"; and "(Re)Defining Diasporas: Bialystok Jewish Emigres in New York and Buenos Aires, 1878–1939." Any group who packed up its tents appeared to have undergone a *diaspora.*

There is, in fact, so much talk of diasporas, lost identity, regained memory, etc., that one is tempted to ask whether there is anyone out there who hasn't yet gone on a diaspora. Some migrations, it turns out, could be downright colorful. A paper presented in the otherwise dull-sounding session, "Criminal Migrations: Criminalistics in Trans-Atlantic Context," was entitled "How to Kill Like a Woman, How to Kill Like a Foreigner: Forensic Medicine and the Otherness of Poison Murder." A show-stopper that. Another—"Shopping Center Diaspora: Retail Decentralization and the Creation of a New Urban Form in Metropolitan Philadelphia, 1922–62"—was clearly a tongue-in-cheek stretch.

The scholars were also worried about diasporas. One session asked, "Post-War European Jewry: Vanishing Diaspora?" Others addressed the usual academic rhythm of revision, such as "Defining Diaspora: Redefining a Discourse" and "Diasporas Reconsidered: Moving beyond Nationalist and Colonialist Paradigms." Most of the work on diasporas emphasized their negative qualities—persecution, violence, misery—but not all. Some sounded noble. A session on "Gender, Migration, and Settlement in Premodern Europe" contained a paper

with the engaging title, "Saints at the Gate: Women Who Defied Barbarians and Saved Christian Civilization."

It is perhaps fitting that diasporas should be on the American academic mind, because the historical profession in this country seems to be in the middle of one itself. Like most diasporas, this one has about it a sense of forced exodus. Life within the existing American historical associations apparently having become oppressive, a large and significant splinter group has broken off and formed a separate professional organization, the Historical Society. There is an undeniable edge in the new group's pledge to promote "frank debate in an atmosphere of civility, mutual respect, and common courtesy," qualities presumably lacking elsewhere. "We intend to provide a forum where economic, political, intellectual, social, and other historians can exchange ideas, contribute to each other's work, and learn from each other." What more could anyone ask? Why would anyone *have* to ask? is more to the point. "*Our goal is to promote an integrated history that is accessible to the public.*" Dues are modest ($20) and realistic ($10 for students and the unemployed). The first national meeting will be held in Boston, that one-time center of radicalism, on May 27–29, 1999.

Thomas Jefferson remarked that a little rebellion every now and then isn't necessarily a bad thing. Note to the Historical Society: Our check is in the mail.

Cover

Cumberland Regional Airport, 1947

This western Maryland airport is actually located three miles from downtown Cumberland in Wiley Ford, West Virginia. The people in the foreground of this photograph are sitting on the Maryland bank of the Potomac River, apparently waiting for the start of an air show. Airport construction began in 1940 and the facility opened for business in 1945. The airport is still is use today, has a new observation tower, and runs four daily commuter flights to Pittsburgh. (Maryland Historical Society.)

P.D.A.

Dedication of the Maryland Confederate Monument in Baltimore, May 2, 1903. (Maryland Historical Society.)

Bradley T. Johnson's Lost Cause: Maryland's Confederate Identity in the New South

THOMAS E. WILL

Historians portray Bradley Tyler Johnson, a Confederate veterans organizer from Frederick, Maryland, as a postwar sectional intransigent whose antagonism to the New South and espousal of the Lost Cause derived from insecurity over his military record and guilt for having supported secession against his better judgment.[1] A closer examination of Johnson does not support these assessments but reveals instead a man grappling in his own unique way with important issues confronting whites throughout the South and with other issues peculiar to Confederate veterans in Maryland. On one hand, Johnson reflects a variant of the Lost Cause that answered the needs of border state Confederate veterans. On the other, Johnson's thought underscores the persistence of antebellum assumptions concerning social and labor relations, even for Southerners who recognized the Civil War as a transforming experience.

Johnson wrote and spoke widely after the war, driven by two distinct concerns. First, he attempted to define Maryland's wartime relationship to the Confederacy and defended developments on the Maryland home front as well as the record of Maryland Confederates. When during the war Southerners began constructing a Confederate identity that threatened to exclude those from the border states, Johnson responded by asserting, from 1863 until his death in 1903, Marylanders' qualifications as good Southerners.

Secondly, Johnson advised his audiences on how the South should negotiate the change from a slave to a free labor economy and society. He struggled, as did numerous Southern thinkers, to chart a path that would enable the defeated region to tap the material rewards of the new order while preserving the hierarchy of the old. Though the formula he devised drew upon positions held by other prominent Southern thinkers, Johnson pieced together his own unique vision for the postwar South. He occupied a complex middle ground on which the practicality of the New South booster faced the sentiment of the Old South traditionalist. This tension found expression in Johnson's seemingly contradictory statements. He urged and celebrated Southern industrialization while denouncing industrial society, extolled the virtues of slavery while acknowledging

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the promise of free labor, advocated reconciliation and applauded nationalism while censuring the North and lamenting the centralization of authority, and warned against the dangers of greed while illegally accepting payment to influence votes in the Virginia legislature.

Johnson's contradictory postwar attitudes and beliefs reveal not a base hypocrite but a man fundamentally desirous of continuity who sought coherence in a world beset by irrevocable change. What's more, despite their apparent inconsistencies, his beliefs and behavior possessed their own internal logic. He managed to stand by the standards of his old world, as he defined them, though necessity compelled him to contort his principles to the point that they seemed almost unrecognizable. Ultimately, Johnson proved incapable of reconciling the new order with the old and succumbed to frustration as late nineteenth-century labor strife convinced him of the futility of striving to achieve an industrial economy without an industrial society.

Born in Frederick County on September 29, 1829, Bradley Johnson lived his early years in a region and a family much less tied to slavery than his postwar defenses of the peculiar institution suggest. His grandfather, Baker Johnson, did invest substantially in slaves and owned seventeen in 1810. Bradley Johnson's formative years acquainted him with the peculiar institution on a slightly smaller scale, for when he was a year old his father owned six slaves—an adult male, an adult female, three children under the age of ten, and a male between ten and twenty-four years of age. Like Frederick County, which in 1830 contained 6,370 slaves (14 of the population) but in 1860 only 3,243 (7 percent), the Johnson family continued to divest itself of slaves. By 1860 Bradley Johnson owned no slaves, employing instead a single free black woman as a servant.

Johnson pursued a career in law and politics rather than an agricultural life founded on slave ownership. After earning a Princeton degree in 1849 and studying law at Harvard for two years, Johnson returned to Frederick and successfully ran for the county state's attorney's office, which he held until 1855. After his unsuccessful 1857 bid for comptroller of the treasury, the Democratic party appointed Johnson chairman of the state central committee, in which capacity he directed John C. Breckinridge's 1860 presidential campaign. By the eve of the Civil War, at the relatively youthful age of thirty-one, Bradley Johnson had attained an impressive degree of political importance.[2]

Johnson attempted to use his growing influence to align Maryland behind both the Democratic party and the South in the gathering political storm. As editor of Frederick's *Maryland Union*, Johnson commended the 1857 Democratic state convention for resolving to place Maryland "in full communion with our united sister States of the South" and to brave "the opposition of black republicanism, abolitionism and know-nothingism combined and separated."

When the Democrats won control of the Maryland legislature in 1859, Johnson gloated in his column that they had "vindicated themselves and their State from all suspicion of affiliation with the Northern Opposition. They have placed her side by side with her Southern sisters." Johnson again expressed his pro-Southern sentiments as a delegate at the 1860 Democratic national convention in Charleston, where he endorsed the majority platform's call for federal protection of slavery in the territories, and at the Baltimore convention two months later, where he walked out with half of the Maryland delegation after the convention refused to seat the Charleston bolters. Johnson served as secretary of the alternate Baltimore convention which nominated Breckinridge and Lane.[3]

Johnson's Southern sympathies translated into support for secession. He lamented to North Carolina congressman Lawrence O'Bryan Branch in February 1861 that "we [Maryland] can't move now . . . some powerful propulsion will be needed for us." Johnson advised Branch of the plan he considered most likely to facilitate Maryland's secession. North Carolina and Virginia should lay down terms to the North, giving a specific time for their acceptance or rejection. He hoped the North's rejection would provide the impetus for those two states to secede and for Maryland to "hitch on behind your tail." A month later in Baltimore, before a gathering of Southern-sympathizing state legislators, Johnson offered a resolution which declared that any attempt by the federal government to retake property controlled by the seceded states "would operate *ipso facto* as a dissolution of the Union, and would remit to each State its original sovereign right to provide for its own safety and welfare." Johnson remained proud of his position during the postwar period, proclaiming near the turn of the century that "I was a 'Secessionist' myself." His persistent advocacy of secession belies historian Gaines Foster's assessment of him as one of those Southerners who wrote and spoke widely after the war because they had "supported secession against their better judgment [and] seemed to want reassurance after the war that they had acted rightly." To the contrary, Johnson judged secession desirable at an early stage, remained proud of his position after the war, and never gave any indication that he suffered anxiety over his actions and beliefs.[4]

After the Maryland legislature unanimously passed a resolution denying the power of that body to consider a secession ordinance on April 27, 1861, and two weeks later voiced its refusal to call a convention which would have the authority to secede, Johnson gathered the militia company he had organized and marched to Virginia. Commissioned major of the 1st Maryland Infantry, Johnson rapidly rose to the rank of colonel and commanded the regiment during Jackson's 1862 Valley Campaign and the Seven Days' battles around Richmond. Frustrated by the Confederate War Department's disbandment of his regiment in August 1862, Johnson nevertheless continued to serve his adopted nation: as temporary commander of a Virginia brigade at Second Manassas, on

Bradley T. Johnson in a wartime photograph. (Warren Rifles Confederate Museum.)

court-martial duty for nearly ten months, and again as temporary commander of a Virginia brigade following Gettysburg. Johnson welcomed Robert E. Lee's October 31, 1863, directive to organize Maryland Confederate units into a Maryland Line at Hanover Court House but found himself again separated from his fellow Marylanders upon receiving a promotion to brigadier-general and command of a Virginia cavalry brigade in June 1864. Less than two months later, after Federal cavalry surprised and routed Johnson's brigade in camp at Moorefield, West Virginia, Lee informed Jefferson Davis that "I have directed that if General J. is to blame he must be relieved from command." Secretary of War James A. Seddon soon relegated Johnson to duty at a prison camp in Salisbury, North Carolina, where he closed out his military career in a backwater of the war.[5]

At the conclusion of the war, Johnson settled in Richmond, where he built a lucrative law practice. He made out especially well representing the state of Vir-

ginia in its efforts to collect payments on the bonds of the Chesapeake and Ohio Canal, services for which he and two other attorneys split a fee of $221,397. Johnson briefly entered Virginia politics, siding with the Funders in the state debt controversy and serving in the state senate from 1875 to 1879. In the latter year he retired from politics and moved to Baltimore, where he established a law practice with John Poe, a partner in the Chesapeake and Ohio Canal case. In 1898 Johnson returned to Virginia once again, living out the final five years of his life in the quietude of Amelia Court House.

Throughout the postwar period, whether living in Richmond or Baltimore, Johnson devoted considerable energy to the administrative activities associated with Confederate veterans' organizations. He informed former General Jubal Early on October 25, 1870, that "We [Johnson never revealed who else contributed] have been preparing for some months an organization to preserve our old friendships[,] to collect materials for the history of the Army, and to cherish the name and fame of our dead comrades—and our abiding faith in the justice of the Cause for which they died."[6] Within two weeks, a gathering of Confederate veterans in Richmond formed the Association of the Army of Northern Virginia and appointed Johnson head of the executive committee. The following year, Johnson organized the Society of the Army and Navy of the Confederate States in the State of Maryland, and in 1880 he organized and presided over the Association of the Maryland Line.

Johnson supplemented his organizational and administrative activities with numerous speaking engagements, public appearances, and written works relating to the Confederate past. For example, he spoke at the unveiling of the Confederate monument at Fredericksburg in 1891 and at the opening of the Confederate Museum in Richmond in 1896. He led Maryland veterans in the ceremonial processions for the laying of the cornerstone of the Lee monument in Richmond in 1887 and for the unveiling of the Soldiers' and Sailors' monument in the same city in 1896. Johnson contributed a dozen articles to the *Southern Historical Society Papers*, wrote a biography of Joseph E. Johnston, and drafted the Maryland volume of the *Confederate Military History* series.

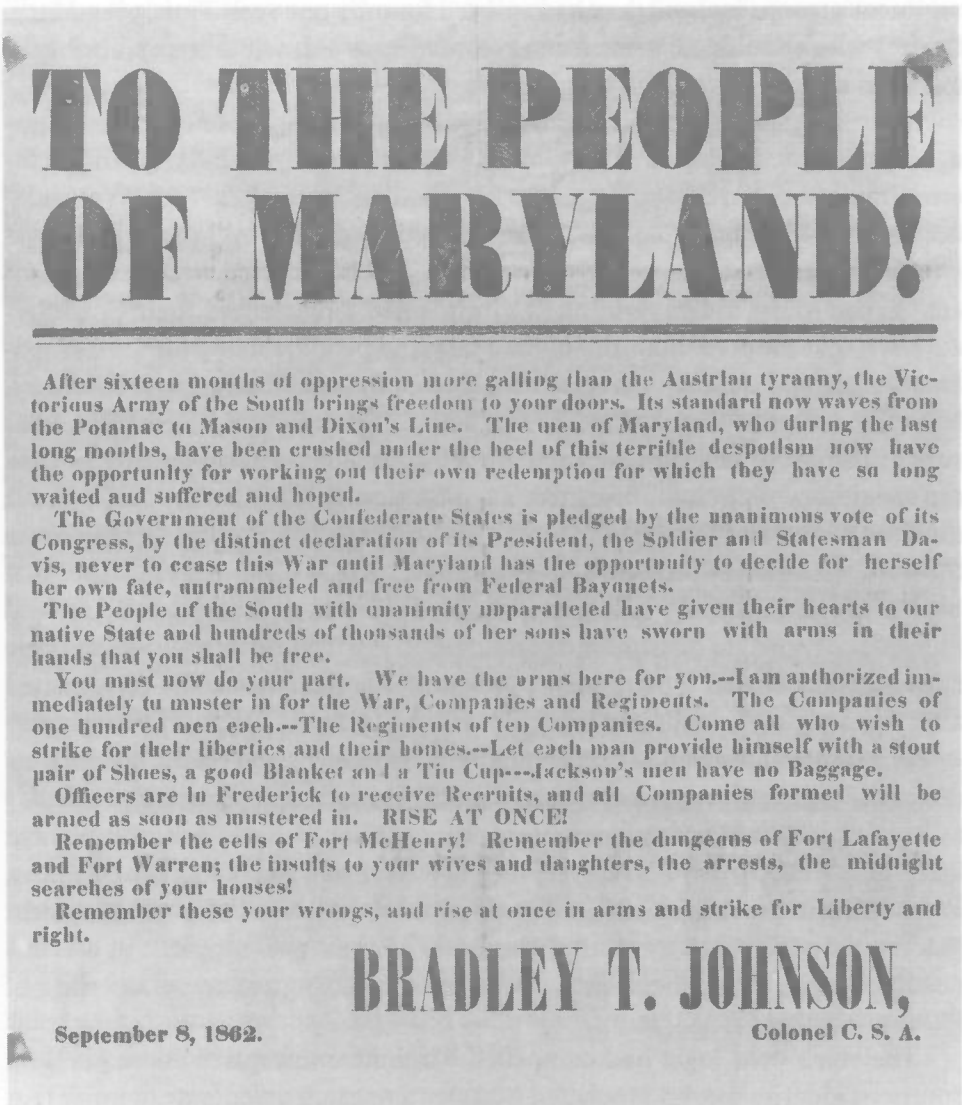
Several historians contend that Johnson and other veterans who fervently celebrated the Confederate past did so to compensate for less-than-spectacular military records. Johnson and his compatriots possessed undistinguished or disputed service records, argues Gaines Foster, which "rendered them anxious to defend southern martial valor" and drove them "to justify their own conduct by ardently defending the actions of the South." Thomas Connelly set forth a similar explanation, noting that through their postwar activities Johnson and his peers "gained acclaim they had never received in their war careers." This psychological interpretation may or may not explain the veterans activities of Jubal Early, William Pendleton, Fitzhugh Lee, or any of the other former Confeder-

ates cited by Foster and Connelly, but in the case of Bradley Johnson it falls short for a very simple reason: Johnson began to espouse the Lost Cause before the cause was lost and during the very period that his personal military reputation reached its zenith.[7]

Johnson began writing a history of the 1st Maryland Regiment in December 1862, a year and a half before the Moorefield disaster prompted Lee to remove him from field duty. When Johnson began writing, he enjoyed the esteem of his superior officers. General Richard S. Ewell commended Johnson's "highly valuable service" during the Valley campaign and General Charles Winder's report of the Seven Days' action singled out Johnson as a "gallant soldier and gentleman" who executed his duty "rapidly and with good judgment." Stonewall Jackson, no easy man to please and one whose opinion carried considerable weight, advised Lee in October 1862 that Johnson was "an officer of tried courage, industrious, enterprising, possesses an unusually good mind and constitution." Four months later, Jackson stated that he had a "higher opinion" of Johnson than of any officer then in his division. Johnson built a sound reputation in the public eye as well as in military circles, for an August 1862 issue of the *Richmond Enquirer* designated him "in the front rank of commanders." In short, Johnson did not begin writing a history of the 1st Maryland to compensate for a disputed or undistinguished military record. The anxiety driving him to write derived not from the state of his own image, but from his native state's deteriorating image in the Confederate South.[8]

Seeking to Preserve Maryland's Southern Identity

During the war's first year, Southerners extended Marylanders a warm welcome. What better confirmed Northern tyranny and Southern righteousness, after all, than the presence of exiled Marylanders? "Many a gallant Marylander is now in our city," stated a receptive Richmond newspaper as late as the summer of 1862, "and many more are 'on the wing' for the hospitable shores of Old Virginia." Gradually, however, Maryland's image deteriorated and Virginia's swelcome began to wane. The Conscription Act of April 1862 contained a clause permitting non-residents of the Confederacy, including Marylanders living in the South, to avoid compulsory military service.[9] Soon, explained Richmond nurse Phoebe Yates Pember, Marylanders "labored under the disadvantage of harboring, as reputed fellow citizens, every gambler, speculator or vagabond, who, anxious to escape military duty, managed to procure, in some way, exemption papers proving him a native of their so-considered neutral state." Many Virginians came to view Marylanders as freeloaders who traveled South to escape the Union draft. The actions of General John Winder, a Marylander and inspector-general of Richmond whom the city's residents widely regarded as a



TO THE PEOPLE OF MARYLAND!

After sixteen months of oppression more galling than the Austrian tyranny, the Victorious Army of the South brings freedom to your doors. Its standard now waves from the Potomac to Mason and Dixon's Line. The men of Maryland, who during the last long months, have been crushed under the heel of this terrible despotism now have the opportunity for working out their own redemption for which they have so long waited and suffered and hoped.

The Government of the Confederate States is pledged by the unanimous vote of its Congress, by the distinct declaration of its President, the Soldier and Statesman Davis, never to cease this War until Maryland has the opportunity to decide for herself her own fate, untrammeled and free from Federal Bayonets.

The People of the South with unanimity unparalleled have given their hearts to our native State and hundreds of thousands of her sons have sworn with arms in their hands that you shall be free.

You must now do your part. We have the arms here for you.--I am authorized immediately to muster in for the War, Companies and Regiments. The Companies of one hundred men each.--The Regiments of ten Companies. Come all who wish to strike for their liberties and their homes.--Let each man provide himself with a stout pair of Shoes, a good Blanket and a Tin Cup---Jackson's men have no Baggage.

Officers are in Frederick to receive Recruits, and all Companies formed will be armed as soon as mustered in. RISE AT ONCE!

Remember the cells of Fort McHenry! Remember the dungeons of Fort Lafayette and Fort Warren; the insults to your wives and daughters, the arrests, the midnight searches of your houses!

Remember these your wrongs, and rise at once in arms and strike for Liberty and right.

BRADLEY T. JOHNSON,
Colonel C. S. A.

September 8, 1862.

During the Antietam Campaign of 1862, Johnson circulated this broadside in Frederick urging Marylanders to join the Confederate cause. Few heeded his call. (Maryland Historical Society.)

tyrant, contributed to the growing anti-Maryland sentiment. A Richmond newspaper attacked Winder for filling his police force with "a coterie of vagabond refugees from Baltimore, the habitués of brothels and gambling houses," while a resident noted the popular scorn for "Winder's Provost Marshal and his Plug Ugly alien policemen." The Confederate War Department exacerbated the situation by disbanding the 1st Maryland Infantry in August 1862 because the

regiment's troops insisted they had enlisted for only one year. Thus, even Marylanders who shouldered arms for the Confederacy seemed to many Virginians less than entirely devoted to the cause.[10]

The Sharpsburg campaign proved even more damaging to Maryland's image in the Confederate South. Virginians waited anxiously as the Army of Northern Virginia crossed the Potomac into Maryland in September 1862. "We think," declared the *Richmond Enquirer*, "that the success of the movement will depend chiefly on the manner in which our advance shall be received by the Marylanders." Exiled Marylanders residing in Virginia had long assured their Confederate hosts that the great majority of the Maryland people sided with the Confederacy, explained the *Enquirer*, and now the opportunity had arrived for Marylanders to translate their sentiment into action. The newspaper betrayed a measure of the doubt and impatience many Virginians harbored over their northern neighbors' sectional allegiance, warning that if Marylanders "shall prove unwilling to do and to dare, and to risk life and property, for liberty, they chose the portion of slavery forever." When word reached the Virginia home front that Lee's army had attracted only a few hundred recruits in Maryland, doubt and impatience turned to distrust and contempt. "It is a terrible thing when a people have officially bowed the knee to oppression," the *Enquirer* acidly commented after the campaign, "and have lain still with the tyrant's foot upon their neck."

The honeymoon had ended, though the divorce dragged on for the remainder of the war. By the summer of 1863, the same newspaper that had previously welcomed gallant Marylanders to Virginia's hospitable shores now complained that "there are too many Marylanders idling their time upon our streets." Pember, also writing in the summer of 1863, even noticed the prevailing attitude against Maryland troops in the wards of Richmond's Chimborazo hospital: "It was impossible to give them their fair share of attention, so great was the feeling of jealousy existing."[11]

The war's own logic had compelled Virginians to replace an antebellum Southern identity that had included Maryland with a Confederate identity that excluded the Old Line State. During the war's first year, the federal government's use of forceful measures in Maryland afforded Virginians a vivid example of Northern "tyranny," in contrast to which the young Confederate cause seemed all the more dedicated to the preservation of liberty.[12] As long as Virginians continued to hope and believe that Marylanders would resist federal occupation if given the opportunity, they regarded their northern neighbors as fellow Southerners whose courage and strength of will in the face of physical oppression stood as an extreme example of the larger South's struggle. When the Sharpsburg campaign demonstrated that Marylanders would not rise up and expel the "invaders," however, Maryland's condition quickly became a frightening example of Virginians' worst fear: Southerners conquered by Northerners.

To allay that fear, Virginians found it necessary to distinguish themselves from Marylanders and to hold up the "submissionists" as the contrast against which Confederate identity assumed shape and meaning. The antebellum Southern self-consciousness binding together Maryland and Virginia lost meaning to Virginians who increasingly perceived their will to resist as a defining characteristic of their emerging Confederate identity. Just as the dedication to liberty distinguished Confederates from Yankees with tyrannical designs, the will to resist distinguished Confederates from submissionists who happened to live in the South.

Bradley Johnson acutely perceived his state's declining favor in the South. The 1st Maryland's disbandment, he noted six months after it occurred, caused "the most widespread distrust of Maryland among the Southern people and army. Before then there had been the warmest enthusiasm and most intense sympathy for our state."[13] Developments during the Sharpsburg campaign further distressed Johnson. While the Confederate army camped in Johnson's native Frederick, he distributed a flyer beseeching "all who wish to strike for their liberties and homes" to join Lee's veterans. It pained Johnson to witness the tepid reaction, and to read an editorial in the *Maryland Union*—the paper he formerly co-owned and edited—mocking the "highfalutin Proclamation of our old partner" for encouraging the citizens of Maryland to "flock to Jeff Davis' standard and bow their necks to his yoke."[14] In the course of five short weeks, the Confederate army had rejected the services of Maryland troops and Maryland citizens had rejected the Confederate army. Johnson felt alienated from his native state. "Every year," he confided to his wife in 1863, "severs the ties that bind us to Maryland, and but a few more now connect us with our former home." Nor did Johnson feel particularly embraced by the Southern populace. Following the Sharpsburg campaign, he explained in 1863, "the whole Confederacy filled with complaints that Maryland did not rise; that no men joined our army, and that she was untrue to the South."[15]

These developments presented Johnson with a severe crisis. He had always considered his Maryland identity tightly bound to his Southern identity. Now, his Virginia compatriots showed evidence of supplanting their Southern self-consciousness with a new Confederate identity that did not admit Marylanders. Therefore, Johnson attempted to show that Marylanders deserved inclusion in the emerging Confederate identity because their will to resist had in fact persisted in the face of Northern oppression. He set out to prove that Maryland was indeed true to the South and that Confederate Marylanders represented their native state's true interests. In other words, Johnson sought to establish in the minds of others, as he never doubted in his own mind, that loyalty to Maryland and loyalty to the South were one and the same. He began building his case in December 1862, and he stayed at the task for the remainder of his life.

Intended to serve a unique purpose, Johnson's message differed markedly from that of "Lost Cause" protagonists from the former Confederate states. Virginians or Georgians, for example, never felt compelled to prove their states' "Southerness." Mississippians or South Carolinians might defend secession but would never consider it necessary to argue that their states desired to secede. In contrast, Johnson repeatedly characterized the Maryland people as "intensely Southern, with all their hearts." Had they only understood the severity of the secession crisis, he wrote during the war, Marylanders "would have been nearly unanimous in taking sides with the South." Instead, lamented Johnson, the Maryland people retained their hope for the preservation of the Union until it was too late. The legislature, though "known to be nearly unanimously true to the South," temporized and delayed for one crucial week after Virginia seceded and allowed the federal government to occupy the state. Thus shackled to the Union by "irresistible force," Maryland still managed to give "her heart, her blood and her treasure to the cause of free government, by the people, contended for by the Confederate States." Marylanders supported the South with an "ardent zeal" that "swept like an electric storm over the State."[16]

How, then, did Johnson explain the cool reception afforded Lee during the Sharpsburg campaign? The Confederate War Department, not the Maryland people, maintained Johnson, deserved the blame. "Thousands wished to enlist," he claimed in 1863. "Everyone asked, 'Where is the First Maryland?' The disappointment and chagrin at finding it disbanded was extreme. They had no Maryland organization to rally on." Thirty-six years later, Johnson still asserted that "if a strong regiment of Marylanders under the Maryland flag had marched with Lee at that time it might have been made the rallying point of a new division." A new division! Clearly, according to Johnson's historical interpretation, Maryland was true to the South.[17]

Did Johnson really believe what he wrote, or did his arguments merely represent a desperate attempt to convince others, contrary to strong evidence, that Maryland overwhelmingly supported the Confederacy? Though his conclusions appear at times fantastic—he may or may not have really believed, for example, that Lee could have recruited an entire division in Maryland—Johnson undoubtedly believed that most Marylanders sympathized with the South and that his Confederate service therefore exemplified true loyalty to Maryland.[18] His experience and personal association with the most ardently pro-Southern citizens of the state, after all, confirmed in his mind that Marylanders supported the South. The key to his reasoning lies in his definition of "Marylander." He never regarded black residents as citizens, of course, but he also refused to regard recent white immigrants as Marylanders. The Union 1st Maryland, according to Johnson, consisted mainly "of foreigners, aliens by birth and aliens to the institutions, ideals and motives that for nine generations had formed the character

Maryland veterans gathered around the Maryland Confederate monument on Culp's Hill, Gettysburg, October 1894. (Maryland Historical Society.)

of Marylanders. They were good men, but they were not Marylanders." Johnson found no difficulty at all, then, in simply dismissing the Union 1st Maryland as "the bogus First Maryland." True Marylanders—Confederate Marylanders—could boast established families, insisted Johnson: Brigadier General Lloyd Tilghman "was of a distinguished colonial family"; Brigadier General James Archer came from "a distinguished colonial family"; and Major General Arnold Elzey "was descended from some of the best blood of Maryland, his ancestry being among its earliest and most prominent settlers." The Maryland Line in the Confederate Army, claimed Johnson, "included representatives of every historic Maryland family." Not surprisingly, Johnson boasted a distinguished lineage of his own: his great-great-grandfather Thomas Johnson had settled in Calvert County in 1700, and his grandfather's brother had served as the first governor of the state of Maryland. In Johnson's mind, his class possessed the only opinions and sentiments that mattered. Within the confines of his reasoning, and according to his exclusive criteria for citizenship, the majority of "simon-pure, genuine Marylanders" did indeed support the Confederacy.[19]

Johnson's efforts to redefine Maryland's wartime relationship with the Confederacy ultimately met with considerable, though not complete, success. As he delivered the keynote oration commemorating the 1891 unveiling of the Confederate monument at Fredericksburg, for instance, Johnson likely found it somewhat discomfiting that the monument itself bore the inscriptions of the eleven

Confederate states plus Missouri and Kentucky but failed to take note of Maryland. Nevertheless, the Lost Cause movement embraced Marylanders to a greater extent than did the Confederacy during the final three years of the war. When the Confederacy's will to resist failed to stave off defeat, Virginians found themselves sharing an experience similar to Johnson's Maryland—that of a conquered section. Appomattox made it more difficult and less necessary for Virginians to disassociate themselves from "submissionists" on the border. Virginians and other former Confederates proved receptive to Johnson's message, for they too focused after the war on the strength with which their conquered people resisted Northern oppression. Thus, Virginians' praise for "the heroic 'boys in gray' of Maryland" supplanted grumbling about troops who argued over terms of enlistment. Virginia's Governor Frederick W. M. Holliday joined 15,000 people to celebrate the 1880 unveiling of the Maryland monument at Winchester. The Maryland monument at Gettysburg, erected in 1886, stood as the first Confederate monument on the field. At the unveiling of the Lee monument in 1890, Johnson led 1,200 Maryland veterans through the streets of Richmond—the same streets upon which, complained the *Enquirer* during the war, too many Marylanders idled away their time.[20]

Maryland embraced the Lost Cause more fervently than it embraced the Confederacy. If Marylanders declined to flock to the Confederate army in 1862, they did flock to Confederate veterans' fund-raisers after the war. The Ladies Southern Relief Association, for example, organized an 1867 fair in Baltimore which, charging two dollars per ticket, brought in $162,000 to relieve poverty in the South. An 1885 bazaar sponsored by Johnson's own Society of the Army and Navy of the Confederate States in the State of Maryland raised $31,000 for Confederate veterans. The Association of the Maryland Line, a group also founded and led by Johnson, successfully lobbied the Maryland legislature for annual appropriations of $7,500 to establish and maintain a rest home for infirm and indigent Confederate veterans. Six of the first eight adjutant-generals appointed in Maryland after the Civil War had served in the Confederate army. Thousands gathered along Baltimore's Mt. Royal Avenue to witness the unveiling of a Confederate monument in May 1903, six years before any Union monument appeared in the city. Mayor Thomas Hayes attended the Confederate monument's unveiling, where he referred to Baltimore as "the great metropolis city of the South" and stated that "the heroism, courage and endurance of the men and women of the South can never be forgotten so long as human hearts and memories cherish noble deeds." Bradley Johnson, who had but five months to live, missed the occasion due to illness, but he would have heartily approved the mayor's speech.[21]

In addition to confronting doubts concerning Maryland's allegiance to the South, Johnson participated in a larger Southern debate over how the region

should respond to the economic and social dislocation generated by emancipation and defeat. Like many Southerners, Johnson confronted what Confederate General John B. Gordon identified as "the great problem of our future." The dilemma plaguing the South, explained Gordon, "is how to hold to the characteristics of our old civilization, when that civilization itself is gone; how to send the current which so enriched and purified the old, coursing forever through the new life before us; how to relight the old fires upon the new altars." The New South vision, championed by Gordon, represented one solution to that dilemma. Urging economic regeneration and national reconciliation, Gordon and other New South boosters envisioned a new industrial society infused with, but not hindered by, traditional Southern values. A second solution to the dilemma held sway among Old South traditionalists, such as Robert L. Dabney and William H. Payne, who counseled strict adherence to the antebellum South's socially stable principles. Vigorously opposed to sectional reconciliation and economic change, the intransigent traditionalists warned that the New South vision entailed truckling to the conquerors and, worse yet, threatened social dislocation.

Like most Southerners, Bradley Johnson identified completely with neither side, occupying instead a middle ground where ideas from the two extremes mingled. Johnson never emerged as a prominent symbol of a clearly defined ideal, but the very ambiguity of his thought sheds light on the experience of many less prominent Southerners who waded cautiously through postwar possibilities.[22]

Seeking an Old-Fashioned New Order

Most postwar Southerners insisted that Confederate defeat resulted from the North's overwhelming numbers and resources.[23] Though well acquainted with the disparity of numbers and resources explanation, Johnson expressed his dissent: "The Confederate States were not crushed by overwhelming resources nor overpowering numbers. They were *out-thought* by the Northern men." Many Southerners eulogized the fallen Confederacy, but perhaps only Johnson praised its assassins. "The great brain of Chase," he continued, "which conceived the financial system of the Union side, and the courage of Lincoln and sagacity of Seward, administered the resources of the North and applied the machinery of currency, credit and industry, as created by modern civilization, in a way no Southern statesman was able to do."[24]

How could a former Confederate general pursue this line of argument? Johnson had learned from the war. His explanation for Confederate defeat represented an acknowledgment that certain facets of Northern society merited respect and, implicitly, emulation. Despite his ubiquitous presence at monument unveilings, Johnson understood that the South could not subsist on dreams

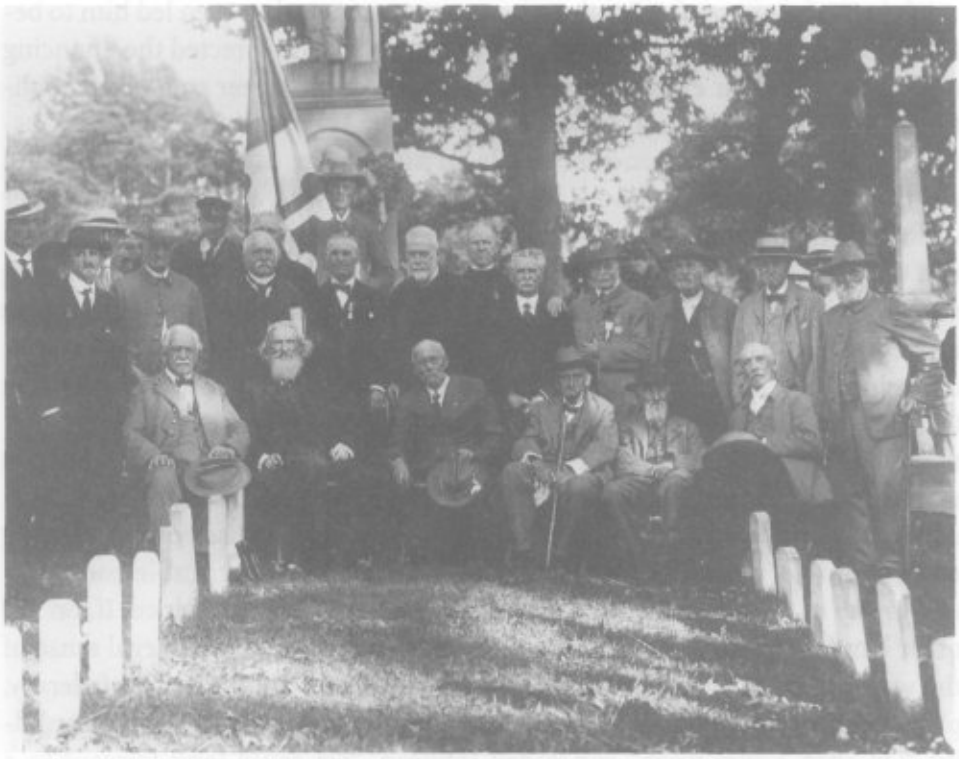
of an undefeated past. The war demonstrated to him, in dramatic fashion, the advantages of Yankee shrewdness and Yankee progress, and he wanted the South to enjoy those advantages along with the rest of the nation. In short, Bradley Johnson envisioned postwar economic prosperity in an industrialized, free market South.

Several of Johnson's speeches resounded with elements of New South boosterism. Relating one of his favorite themes, Johnson predicted that Southerners "will beat them [Northerners] in the struggle for material development." Starting in the late 1880s and persisting through the 1890s, Johnson spoke optimistically of his region's past achievements and future prospects in the realm of economic progress. "In the twenty-three years that have passed," he exclaimed in a representative 1888 address, "the ravaged fields have been made to blossom, the burnt homesteads have been rebuilt, and the forges and factories have filled the land with the hum of industry, and happiness and content." In another speech, before the Agricultural Society of Lynchburg, Johnson essentially ignored agriculture while focusing on the South's recent industrial and commercial accomplishments:

> In ten years, the South has built twenty thousand miles of railways, doubling her mileage. In foreign commerce, she has risen from $223,000,000 to $290,000,000. In banking, she has more than doubled her capital, her business and her profits. . . . The product of Pig Iron has increased four hundred percent, or from four hundred thousand tons to one million six hundred thousand tons. Of coal from six million to nineteen and a half millions, over three hundred percent.[25]

The future promised even greater prosperity, according to Johnson. The mountainous region encompassing southwest Virginia, east Tennessee, and north Alabama, he predicted, would soon dominate the iron industry. Johnson eagerly anticipated the day when that region would consist of "one chain of furnaces, forges, [and] factories, far exceeding those in the Valley of the Connecticut, or along the line of the Pennsylvania Rail Road." Similarly, he assured his listeners that "the manufactories of textiles and of wood will move from New England to South Carolina, and the mountains of Georgia and Alabama." The South, concluded Johnson, "will teem with happy laborers."[26]

Johnson welcomed Northern capital investment in the Southern economy, confidently asserting that "there is enough for all." Aware that the Southern economy in fact needed an infusion of Northern capital, Johnson attempted to sow the seeds of sectional accord. Despite his historical image as an intransigent and bitter man who emerged from the war with hatred intact,[27] Johnson repeatedly urged reconciliation. In 1886, Johnson proclaimed that "I have no sympa-



Bradley T. Johnson (standing, center) with fellow former Maryland Confederates at the Confederate monument in Loudon Park Cemetery, ca. 1900. (Maryland Historical Society.)

thy with any attempt to revive the issues or rekindle the passions of the civil war. He has a bad heart and is a bad citizen in Maryland who would do so." The next year, Johnson wrote that "the 'Bloody Shirt' is the contemptible resource of knaves and cowards, who for twenty years have used it to excite the Union people against us.... But the 'Dirty Shirt' of the Confederacy," he continued, "is worse still. It is an exhibition of mean malice, by people who never heard a bullet whistle, nor a shell burst, nor felt the cheer of a charging line." In 1888, Johnson exclaimed that "if it should happen that this country should become involved in a foreign war, the veterans of the Army of Northern Virginia and of the Army of the Potomac would show to the younger men the way to the front." Later in the same speech, Johnson's reconciliationist sentiment reached truly panegyric heights. "Americanism," the nation's prevailing sentiment, had effectively "knit this Continent and this whole people into a sympathetic and homogeneous mass, the most powerful that ever has existed since time began.... And the most significant thing about this Americanism," concluded Johnson, "is that this has all been done with the warm sympathy, respect and admiration of the successful side."[28]

Johnson's concern for Southern economic regeneration even led him to befriend and publicly praise Salmon P. Chase, the man who directed the financing of the Northern war effort and at various stages of his career supported abolition, black citizenship, and black suffrage. In May 1873, shortly after Chief Justice Chase's death, Johnson rose before an assemblage of Virginia judges and attorneys to eulogize the famous Northerner as one "who was not only the lover of liberties of this whole country, and the defender of its Constitution, but [who] was the sincere sympathizer with the distress of my own broken and suffering people, the brave champion of their rights, and my personal friend." Johnson's interest in Chase originally derived from the latter's decision in 1868, as a circuit court judge, to regard the Civil War as a legal war. If the courts regarded the Civil War as a rebellion, Johnson understood, then the acts of Confederate national and state governments, as well as the contracts made by private persons during the conflict, possessed no validity. "Acknowledgments of deeds, protests of notes, records of courts, judicial proceedings, contracts based on the existing order of things would, on that theory, all be void, and inextricable confusion and injury to society would be the consequence," Johnson explained. If, on the other hand, the courts regarded the Civil War as a war in the full legal sense of the word, then all contracts entered into by residents of the late Confederacy, provided they had not directly aided the war effort, would maintain their validity. "On such a sure basis," concluded Johnson, "we could look forward to a rapid recrystallization of society and reorganization of the social order."[29]

While on circuit duty in 1868, Chase ruled that the recent conflict "was a civil war, and that all the consequences of general war flowed from it." Judicial decisions of this nature, claimed Johnson, "at once restored confidence, quiet, and order among our people." In other words, Chase upheld the sanctity of property and contracts, thereby protecting what Southern wealth remained, precluding social upheaval, and, from Johnson's perspective, promising a stable environment for Southern economic regeneration. Pleased with Chase's decision to regard the conflict as a war rather than a rebellion, Johnson determined to record and publicize his position. Johnson contacted Chase, who allowed him to serve unofficially and, apparently, secretly as a sort of circuit court reporter. At the time of Chase's death in 1873, he and Johnson had initiated the process of editing a manuscript composed of the judge's more prominent cases. Johnson published the work three years later, regarding the dissemination of Chase's support for stability and the sanctity of contracts as a way to facilitate the South's economic recovery.[30]

Johnson periodically made statements that smacked of an Old South traditionalist's antagonism to the New South vision and which seemingly cast doubt on his commitment to Southern economic development. Three years after Johnson's 1888 boast that "forges and factories have filled the land with the

hum of industry," for example, he warned that "our danger is, that the very civilization of industrialism, which we spent so much blood, and so many lives to resist, may at last overwhelm the institutions of our ancestors, and the principles which we have inherited." Three years before Johnson's 1890 prediction that the South "will teem with happy laborers" employed in the iron and textile industries, he relayed to Jubal Early a comment by D. H. Hill that "our late enemies have discovered a new Country or Island they call the 'New South,'" adding, "I [Johnson] have some acquaintances but no friends there." Did Johnson consider himself champion of the New South or defender of the Old?[31]

Johnson assumed both roles, for he regarded the adherence to Old South social relations as utterly essential to a stable industrial economy. Unlike many ardent New South boosters or staunch Old South traditionalists, Johnson sought a balance between the old order and the new which prevented him from committing entirely to either one and which compelled him to draw the outlines of a South uniting the advantages of both. In the context of D. H. Hill's comment, the term "New South" implied that the "Old South" suffered from major deficiencies, an admission that Johnson certainly found unpalatable. Yet, Johnson himself employed the term, defining it in a manner that reflected the balance of old and new he desired the postwar South to achieve. Johnson concluded a speech urging Southern industrialization with his interpretation of the term "New South":

> In the New South that I see before me, will be love of truth, honor, justice and right, veneration for fortitude, fidelity and heroism, and gratitude that their fathers and mothers lived in that golden prime when men stood with "Stonewall" or marched with Lee or charged with Jeb Stuart, the Flower of Cavaliers, and the women supported them with courage invincible.[32]

In other words, Johnson wanted the New South to resemble the Old South, as he remembered it, in every respect save economic orientation. Industrialize, counseled Johnson, but avoid "the civilization of industrialism." By "civilization of industrialism" Johnson meant Northern society, and he pointed to the materialistic Yankee as the product of a culture against which Southerners must assiduously guard: "A people absorbed in the pursuit of gain, held in the grasp of greed, abandoned to selfishness, may go down into the very depths of material wealth, may wallow in the mire of plutocracy, and grovel in the worship of the Golden Calf, but such a people cannot live. It must disintegrate in corruption, and fade from the face of history." In part, Johnson accompanied his message with such appeals to common Yankee stereotypes because they rendered his support for industrialization more palatable, to himself and to his audiences.

His statements announced that he did not intend to forsake Southern values nor submit to the victors by embracing the Northern social system. Johnson fully recognized, he assured his listeners, that the industrial system as implemented in the North was "undermined with Nihilism, Anarchism, and honeycombed with Social discontent."[33]

Johnson's frequent denunciations of materialism and social discontent served a deeper purpose, however. Northern free labor ideology celebrated economic development and social mobility.[34] Johnson desired the South to attain the former without adopting the latter. He genuinely feared that class antagonism loomed if Southern laborers, in their humble material circumstances, internalized the North's acquisitive value system. Johnson expressed his dread of aspiration among the lowly:

> The workman is very romantic. As he ploughs in the fields, or hammers in a forge, or cobbles at a shoe, his mind is filled with castles in the air, framed on what he sees in the daily papers, of the doings of the plutocracy, and he dreams, dreams of aspirations for pleasure, if he was rich. No man ever knew the extent of this dreaming—for the workman is reticent, and rarely gives his confidence. I have observed, however, that tailors are military men, and shoemakers are philosophers.[35]

Johnson's appeals to the common Yankee stereotype represented, in part, an attempt to discourage Southern laborers from filling their minds with "castles in the air." He substituted negatively charged terms such as materialism, greed, and social discontent for such traditional free labor terminology as acquisitiveness and social mobility. In Johnson's mind, if the lower classes ever got it in their heads that they deserved better, violence would ensue. Best, then, to discourage aspiration by associating it with Yankee culture.

Johnson's personal behavior indicated that he never considered himself bound by his own philippics on greed and materialism. In January 1872, ten months after the Virginia legislature passed a bill providing for the funding of the state debt, the House of Delegates created a special committee to investigate charges that the bill had been "obtained by bribery of certain members of the last legislature." The committee questioned John W. Jenkins, an attorney who testified that an individual representing New York bondholders had employed him for the purpose of using his "influence to procure, if possible, the passage of the bill." Jenkins implicated Johnson in the scheme, explaining that Johnson agreed to help him secure the bill's passage for a portion of the fee. Upon the bill's success, Jenkins deposited $1,600 into Johnson's bank account. Though the House committee never questioned Johnson, he attempted to redeem his name by refuting the charges in the newspapers. Maintaining that he "never had

any communication with any member of the Legislature, direct or indirect, on the subject," Johnson dismissed the $1,600 as a "purely voluntary" payment given him by Jenkins for the use of an article Johnson wrote on the topic of the state debt. His less-than-credible defense notwithstanding, it appears that Johnson illegally represented Northern financial interests.

Five years later, in 1877, the State of Virginia sued Johnson and two other attorneys for charging excessive fees. The Circuit Court of Richmond decided against the state, but the $221,397 charged by Johnson and his two compatriots for a single case casts doubt on his commitment to practicing what he preached. Johnson's hypocrisy reflected not only the tendency common to many individuals to profess allegiance to one set of standards while living by another, but his belief that greed and materialism worked their pernicious influences most effectively among those prone to social discontent. The ploughmen in the fields and the workers at the forges would turn violent if the "doings of plutocracy" nurtured their false dreams, warned Johnson, but evidently the lawyer had no qualms about joining the ranks of the doers. He simply deemed it natural and harmless for a man of his stature to aspire to healthy compensation for valuable services rendered.[36]

Though he feared social discontent, Johnson believed that the South enjoyed an advantage over the North in combating unrest. The South's paternalistic heritage, rooted in the institution of slavery, he suggested, afforded that region a unique opportunity to pursue economic progress while maintaining social stability. Johnson regarded slavery as "an institution of the highest civilization," for slaveholders "by tie of affection, tradition, necessity and self-interest, were bound to protect, to encourage, and to help their dependents." Slavery "was founded on the protection of the weak by the strong, of the simple by the wise, of the poor by the rich." Johnson intended his descriptions of slavery to provide a model for the future as well as a defense of the past. In Johnson's mind, slavery engendered a paternalistic relationship between the two basic segments of society—the one controlling, the other dependent—which ensured social stability. The amount of benevolence exhibited by the controlling party determined the degree of contentment enjoyed by the dependent party, and in turn the degree of stability enjoyed by the aggregate society. To ensure continued stability, the South need only model the capitalist-laborer relationship on the master-slave relationship. Arguing for an industrialism infused with paternalism, Johnson insisted that "there must be some new arrangement by which the man who labors will be secured a larger and fairer share of the products of his labor." To learn how to produce this industrial arrangement Southerners need only look to their own past: to "the principles of the Confederates," that no section nor class is entitled to appropriate "the fruits of the labor of the other sections, or classes, without compensation." Johnson found no difficulty in rec-

onciling his "principles of the Confederates with the presence of slavery," for he considered slaves amply compensated in what he termed "the system of co-operative labor, by which the capitalist furnished protection, support, care in sickness, in infancy, and in old age."[37]

Labor's plight concerned Johnson less than did the security and integrity of his own class. Control and dependency constituted the essence of paternalism, whether in a slave or an industrial society, and Johnson recognized paternalism's value as the vehicle by which the dominant class could retain its hold on society. The decent treatment of workers would render them less likely to strike, reasoned Johnson, and would solidify the image of the ruling class as the benevolent and rightful leaders of society. Content with one another's contributions, the different segments of society would enjoy a relationship characterized by mutual appreciation and respect. By eliminating want, paternalism would preclude laborers from filling their heads with "castles in the air" and thus would defuse social discontent.[38]

Through the early 1890s, Johnson remained confident that Southern industrialization followed a path moderated by paternalism and that Southerners had successfully resisted materialism. "The dangers and trials of prosperity are about to come on us," he asserted in 1890, "and they will be met as firmly as the others." "I have no fear," he boasted the next year, for the South would "withstand the strain of wealth and luxury, self-indulgence and selfishness, longer than any other society." In another speech, Johnson's optimism enabled him to include even the North in his celebration of paternalistic capitalism. "Free thought, free contract, free labour now prevail, wherever the philosophy of Christ is the directing force," Johnson explained, adding,

> I take American society as the very flower of Christian civilization. Where business principles, egotism, and grasping selfishness are supposed to exercise their strongest sway . . . in this very business society—product of this business civilization, the rich give more money, more time, more labour, more feeling, more sympathy to the weak, the unfortunate, the failures in life, the unhappy, and the poor, than in any other society which ever existed.

Again, in 1888, Johnson affirmed his sanguine perspective: "Sympathy for the unfortunate, help for the weak, are the fundamental principles of this American citizenship."[39]

In 1895, however, Johnson composed a bitter address that revealed his deteriorating confidence in the South's capacity to withstand materialism and in America's ability to institute a form of industrialism infused with paternalism. The North's victory in the Civil war, he now lamented, "has greatly weakened

Bradley Johnson with former Confederate general Wade Hampton circa 1900. (Maryland Historical Society.)

the faith of the South in truth and justice and right, and there is an increasing tendency to adopt the conqueror's methods and his morals." Johnson longingly recalled the institution of slavery, not to draw lessons for the future but to emphasize the degeneracy of the present. Slavery had divided the fruits of labor "between the worker and the employer, according to the rule of justice and right," he explained, "instead of according to the rule of selfishness, greed and might, as it is now." Johnson did not reveal why he changed his tone, but his discussion of labor strife suggests that the 1892 Homestead strike, the 1894 Pullman strike, the United Mine Workers strike, and the march of Coxey's Army had eroded his faith in paternalistic industrialization. When great wealth accumulates in the hands of the few, Johnson warned, "then you will see organized labor—they call it, the cry of humanity, it really is—rise up and demand to know why this is. Why shall the railroads, the mines, the factories all be operated by *us* for a pittance of our earnings, while the owners, our employers, enjoy the great part of them?" Presumably alluding to Carnegie's use of Pinkerton guards to crush the Homestead strike and President Cleveland's use of federal troops to combat the

Pullman strike and Coxey's army, Johnson predicted that "the answer the government of force will make to this will be by hired volunteers and mercenary artillery."[40]

Johnson's waning faith in an industrial path to Southern economic regeneration confirmed that he had never fully committed himself to the New South vision. Johnson's repeated allusions to the antebellum and wartime past did not in and of themselves distinguish him from truly ardent New South spokesmen, for many boosters manipulated the Old South myth for their purposes.[41] Johnson, however, gave more than a nod to the Old South; he always had one foot firmly planted there. While proponents of the New South vision emphasized the baneful effects of slavery on the antebellum Southern economy and rejoiced that "the God of humanity" had "permitted it to pass away at last," Johnson sang the peculiar institution's praises and argued for an industrialist-laborer relationship which closely conformed to his version of the master-slave relationship.[42] No New South booster railed against greed and materialism as fervently as Johnson. At the same time, Johnson's advocacy of sectional reconciliation and his understanding that the Civil War would necessarily entail some form of economic and social transformation in the South distinguished him from staunch Old South traditionalists.

Ultimately, Johnson's efforts to preserve Maryland's Southern identity met with considerably more success than did his attempts to negotiate a Southern path between the old order and the new. Recent books citing Johnson's speeches and articles for the purpose of embellishing Maryland's Confederate sympathies attest to the impact of his former endeavors, while his historical image as a New South antagonist confirms his limited influence on that movement.[43] Ironically, the same late-nineteenth-century historical developments that assured the success of Johnson's Maryland Lost Cause doomed his prescription for Southern economic regeneration. Marylanders and other Americans beset by industrialization and labor strife, urbanization, heavy immigration, and an intensified "race problem" eagerly consumed Johnson's appeals to a romantic, heroic, stable, more pastoral past. The magnitude of those same historical processes, particularly labor strife, underscored the inadequacy and irrelevance of his antiquated prescription for industrial labor relations modeled on paternalistic slavery.

NOTES

1. Gaines Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South* (New York: Oxford University Press, 1987), 55, 67, 82; Thomas Connelly, *The Marble Man: Robert E. Lee and His Image in American Society* (Baton Rouge: Louisiana State University Press, 1977), 48.

2. U.S. Third Census, 1810, Frederick County; U.S. Fifth Census, 1830, Frederick County; J. Thomas Scharf, *History of Western Maryland*, 2 vols. (Philadelphia: Louis H. Everts, 1882), 2:1554; U.S. Eighth Census, 1860, Frederick County.
3. *[Frederick] Maryland Union*, August 6, 1857, November 10, 1859; Bradley T. Johnson to Lawrence O'Bryan Branch, June 9, 1860, Branch Family MSS, Special Collections Library, Duke University, Durham, North Carolina; Bradley T. Johnson, unpublished manuscript, "The Arrest of the Maryland Legislature," from text, appears to date from 1897, box 3, Bradley T. Johnson Papers, Duke University (hereinafter BTJ Papers).
4. Bradley T. Johnson to Lawrence O'Bryan Branch, February 6, 1861, Branch Family Papers; Bradley T. Johnson, *Maryland*, vol. 2 of Clement Evans, ed., *Confederate Military History* (Atlanta: Confederate Publishing Company, 1899), 14; Johnson, "Arrest of the Maryland Legislature," BTJ Papers; Foster, *Ghosts of the Confederacy*, 55.
5. *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, D.C.: Government Printing Office, 1880–1901), ser. 1, vol. 51, part 2:127. (Hereinafter cited *OR*.)
6. Bradley T. Johnson to Jubal Early, October 25, 1870, cited in Foster, *Ghosts of the Confederacy*, 52.
7. Foster, *Ghosts of the Confederacy*, 55; Connelly, *Marble Man*, 48.
8. *OR*, series 1, vol. 12, part 1:783 and vol. 11, part 2:571–72; William Golsborough, *The Maryland Line in the Confederate Army* (Baltimore: Guggenheimer, Weil and Company, 1900), 71; *OR*, series 1, vol. 25, part 2:645; *Richmond Enquirer*, August 26, 1862.
9. *Richmond Enquirer*, August 19, 1862. The Alien Enemies Act of August 1861, which gave citizens forty days to declare allegiance to the Confederacy or leave, also exempted Marylanders.
10. Phoebe Yates Pember, *A Southern Woman's Story: Life in Confederate Richmond*, ed. by Bell Wiley (Marietta, Ga.: Mockingbird Books, 1974), 42; Kevin C. Ruffner, "Border State Warriors: Maryland's Junior Officer Corps in the Union and Confederate Armies," Ph.D. dissertation, George Washington University, 1991, 205–6; *Richmond Examiner*, October 30, 1862, cited in Ernest Furgurson, *Ashes of Glory: Richmond at War* (New York: Alfred Knopf, 1996), 162; John B. Jones, *A Rebel War Clerk's Diary*, ed. by Earl Miers (Baton Rouge: Louisiana State University Press, 1993), 95; Kevin C. Ruffner, "Lost in the Lost Cause: The First Maryland Infantry Regiment," *Maryland Historical Magazine*, 90 (Winter 1995): 440.
11. *Richmond Enquirer*, September 9, 1862; *Richmond Enquirer*, November 4, 1862, June 12, 1863; Pember, *A Southern Woman's Story*, 44.
12. William Blair, *Virginia's Private War: Feeding Body and Soul in the Confederacy, 1861–1865* (Oxford University Press, 1998), 142–43.
13. Bradley T. Johnson, "Memoir of the First Maryland Regiment," *Southern Historical Society Papers*, 10 (1882): 221–22. (Hereinafter cited *SHSP*.) Although not published in the *SHSP* until 1882, this memoir was written by Johnson in four installments from December 1862 through July 1863.
14. Johnson, *Maryland*, 91; *[Frederick] Maryland Union*, September 18, 1862. Johnson's political differences with his partner, Unionist Charles Cole, impelled him to sell his share of the *Union* during the 1860 election.
15. Bradley T. Johnson to Jane C. Johnson, October 27, 1863, BTJ Papers; Johnson, "Memoir of the First Maryland Regiment," *SHSP*, 10 (1882): 221. Johnson wrote this portion of the memoir in July 1863.
16. Johnson, "Memoir of the First Maryland Regiment," *SHSP*, 9 (1881): 345–48. Johnson wrote this portion of the memoir in December 1862. Bradley T. Johnson, unpublished manu-

script, "Maryland During the War Between the States," no date, box 3, BTJ Papers.

17. Bradley T. Johnson, "Introduction" to Joseph R. Stonebraker, *A Rebel of '61* (New York: Wynkoop Hallenbeck Crawford Co., 1899), 7; Johnson, "Memoir of the First Maryland Regiment," *SHSP,* 10 (1882): 221. This portion of the memoir dates from July 1863. Johnson, *Maryland,* 91.

18. Johnson indicated in an 1882 address that he understood that the presence of a Maryland unit in the Confederate army would not have sufficed to attract significant numbers of recruits. Johnson recounted a September 4, 1862, conversation with Stonewall Jackson in which he offered his opinion on the political condition of western Maryland: "I impressed upon him emphatically the fact that a large portion of the people were ardent Unionists; that perhaps an equal number were ardent sympathizers with the Confederate cause, still, they had been since June 1861, so crushed beneath the overwhelming military force, that they could not be expected to afford us material aid until we gave them assurance of an opportunity for relief, by an occupation promising at least some permanence." See Johnson, "Address on the First Maryland Campaign," *SHSP,* 12 (1884): 504.

19. Johnson, *Maryland,* 71, 157, 163, 171; Johnson, "Memoir of the First Maryland Regiment," *SHSP,* 10 (1882): 54; Johnson, "Introduction to Joseph R. Stonebraker, *A Rebel of '61,* 7; T. J. C. Williams, *History of Frederick County, Maryland,* 2 vols. (Baltimore: L.R. Titsworth and Co., 1910), 1:110–11. Statistics contained in Kevin C. Ruffner's recent study suggest that Johnson's perception reflected real, if exaggerated, differences between Maryland's Confederate and Union soldiers. Eighty-nine percent of the ninety-eight Maryland Confederate junior officers Ruffner examined were native-born, while two were of foreign birth. Seventy-three percent of the 104 Union junior officers were native-born, while fifteen were of foreign birth. Confederate junior officers possessed an average real and personal estate value of $1,086 and $1,502, respectively, in 1860 while Union junior officers averaged $63 and $31. Ruffner, *Maryland's Blue and Gray: A Border State's Union and Confederate Junior Officer Corps* (Baton Rouge: Louisiana State University Press, 1997), 41–44, 65–66.

20. *SHSP,* 8 (1880): 334; *SHSP* 17 (1889): 285; Richmond *Enquirer,* June 12, 1863.

21. Robert I. Cottom and Mary Ellen Hayward, *Maryland in the Civil War: A House Divided* (Baltimore: Maryland Historical Society, 1994), 117; *Confederate Relief Bazaar Journal* (Baltimore: Guggenheimer, Weil and Co., 1898), 2; Goldsborough, *The Maryland Line in the Confederate Army,* 345. The Confederate Home in Pikesville, the only such facility supported by a state not formerly in the Confederacy, opened in 1888 and closed in 1932. The state legislature appropriated $5,000 the first two years and $7,500 thereafter. Thomas Hayes, *Unveiling of the Confederate Monument, Mount Royal Ave., Baltimore City, May 2, 1903, Order of Ceremonies* (Baltimore: Guggenheimer, Weil and Co., 1903), 38.

22. John Brown Gordon, *The Old South: Addresses Delivered before the Confederate Survivor's Association in Augusta, Georgia, on the Occasion of its Ninth Annual Reunion, on Memorial Day, April 26, 1887* (Augusta, Ga.: Chronicle Publishing Co., 1887), 7; Paul Gaston, *The New South Creed: A Study in Southern Mythmaking* (New York: Alfred Knopf, 1970), 100; Foster, *Ghosts of the Confederacy,* 85.

23. Connelly, *The Marble Man,* 51; Foster, *Ghosts of the Confederacy,* 57.

24. Bradley T. Johnson, *A Memoir of the Life and Public Service of General Joseph E. Johnston, Once the Quartermaster General of the Army of the United States, and a General in the Army of the Confederate States of America* (Baltimore: R. H. Woodward and Co., 1891), 264.

25. Bradley T. Johnson, *The Confederate Soldier: Address by Gen. Bradley T. Johnson, Delivered June 10, 1891, at the Dedication of the Confederate Monument at Fredericksburg, Va.* (Baltimore: Wilson H. Mules and Co., 1891), 16; Bradley T. Johnson, *The Founding of the*

Eastern Shore: An Address by Bradley T. Johnson Delivered at the Centennial Celebration of Easton, July 26th, 1888 (Baltimore: The Sun Book and Job Printing Office, 1888), 17; Bradley T. Johnson, unpublished manuscript, "The Restoration of the South," 7, BTJ Papers. This speech appears, from the text, to have been written around 1890.

26. Johnson, "The Restoration of the South ," 9, BTJ Papers.

27. Ibid., 8; Foster, *Ghosts of the Confederacy*, 67.

28. Bradley T. Johnson, *The Cause of the Confederate States: Address Delivered by General Bradley T. Johnson, Before the Society of the Army and Navy of the Confederate States in the State of Maryland, and the Association of the Maryland Line, at Maryland Hall, Baltimore* (Baltimore: Andrew J. Conlon, 1886), 7; Bradley T. Johnson, unpublished manuscript, no title, BTJ Papers; Johnson, *The Founding of the Eastern Shore*, 16–17, 18.

29. Bradley T. Johnson, *Reports of Cases Decided by Chief Justice Chase in the Circuit Court of the United States for the Fourth Circuit, 1865–1869* (New York: Diossy and Co., 1876; repr., New York: DaCapo Press, 1972), iii, iv, xii.

30. Ibid., xiii, xiv; Ferne and Harold Hyman, "Introduction" to Johnson, *Reports of Cases*, xiv.

31. Johnson, *The Founding of the Eastern Shore*, 17; Johnson, *The Confederate Soldier*, 16; Johnson, "The Restoration of the South," 9, BTJ Papers; Bradley T. Johnson to Jubal Early, May 18, 1887, Jubal Early Papers, Library of Congress.

32. Johnson, "The Restoration of the South," 10, BTJ Papers.

33. Johnson, *The Confederate Soldier*, 11, 16; Johnson, *The Founding of the Eastern Shore*, 4.

34. Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1970), 40.

35. Johnson, "Some of the Problems of the Future," 21, BTJ Papers.

36. *Journal of the House of Delegates of the Commonwealth of Virginia, 1871–1872* (Richmond: Commonwealth of Virginia, 1872), 297; Richmond *Daily Dispatch*, February 16, 1872; *Journal of the House of Delegates of the Commonwealth of Virginia, 1877–1878* (Richmond: Commonwealth of Virginia, 1878), 36.

37. Johnson, "Some of the Problems of the Future," 9, 10; BTJ Papers; Johnson, *The Confederate Soldier*, 10, 16.

38. Johnson, "Some of the Problems of the Future," 21, BTJ Papers.

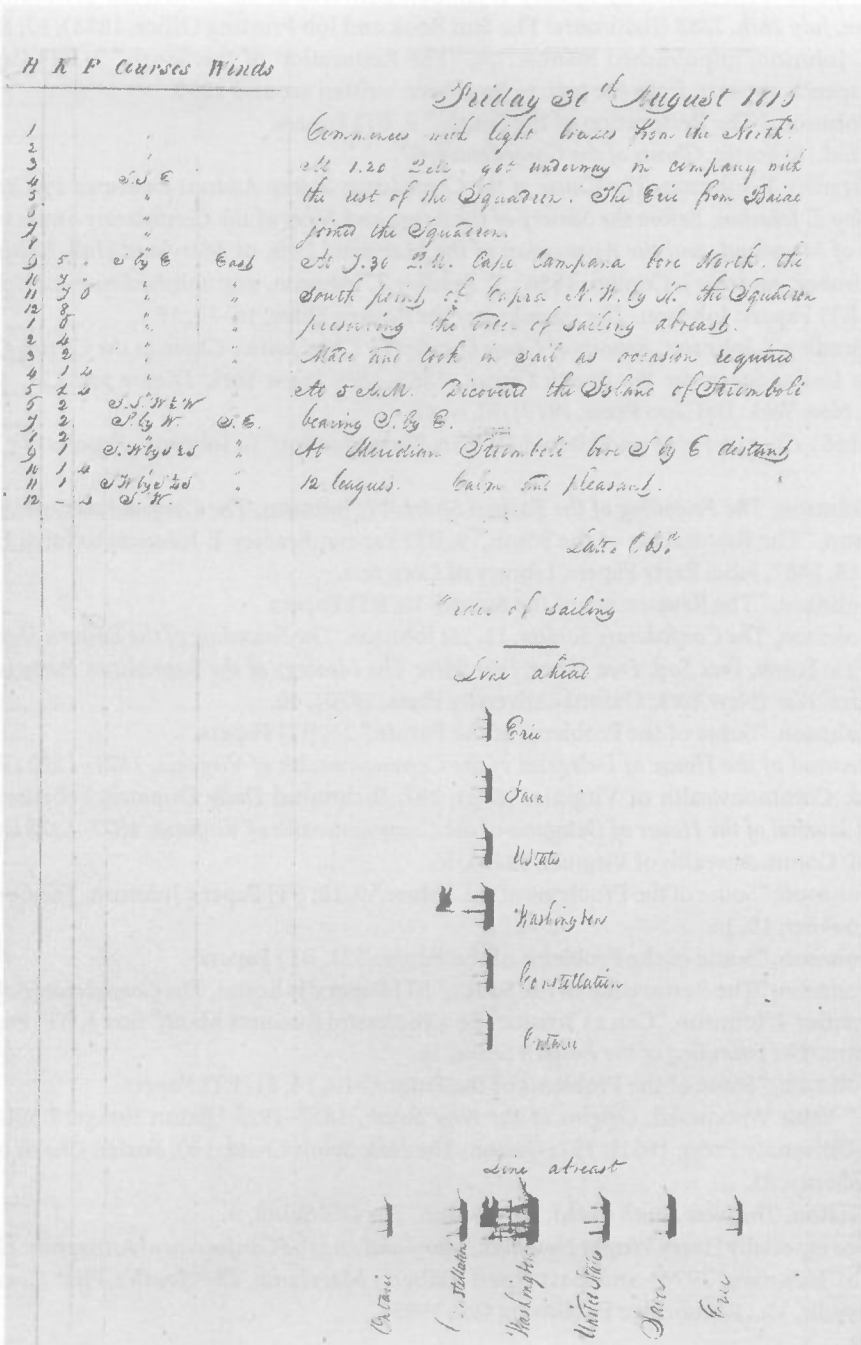
39. Johnson, "The Restoration of the South," BTJ Papers; Johnson, *The Confederate Soldier*, 16; Bradley T. Johnson, "Can a Christian Be a Successful Business Man?," Box 3, BTJ Papers; Johnson, *The Founding of the Eastern Shore*, 16.

40. Johnson, "Some of the Problems of the Future," 10, 14, 21, BTJ Papers.

41. C. Vann Woodward, *Origins of the New South, 1877–1913* (Baton Rouge: Louisiana State University Press, 1951), 157; Gaston, *The New South Creed*, 160; Foster, *Ghosts of the Confederacy*, 83.

42. Gaston, *The New South Creed*, 58; Gordon, *The Old South*, 9.

43. See especially Harry Wright Newman, *Maryland and the Confederacy* (Annapolis: Harry Wright Newman, 1976) and Bart Rhett Talbert, *Maryland: The South's First Casualty* (Berryville, Va.: Rockbridge Publishing Co., 1995).



Page from the log of the U.S.S. Washington *written during the voyage to Naples. The log contains no record of the beatings administered to the crew during the ship's stay in Annapolis. (From* Dictionary of American Naval Fighting Ships *[Washington, D.C.: U.S. Government Printing Office, 1969].)*

"Tyranny and Despotic Violence": An Incident Aboard the U.S.S. *Washington*

JAMES R. HEINTZE

A momentous event occurred in May 1816 when one of the largest and most powerful vessels in the United States fleet sailed up the Chesapeake Bay and dropped anchor off Annapolis.[1] The attraction was the newly built U.S.S. *Washington*, a seventy-four-gun ship-of-the-line commanded by Captain John O. Creighton. She was the flagship for Commodore Isaac Chauncey's[2] Mediterranean squadron and was on her maiden voyage from Boston to Annapolis before sailing for Europe. In Annapolis she was to take on board William Pinkney (1764–1822), the distinguished lawyer and former attorney general who recently had been appointed United States minister to Russia and special envoy to Naples. The *Washington* would first deliver him to the Mediterranean where he would seek compensation for losses sustained in 1809 when France under the Murat regime seized American ships.

The *Washington*'s arrival at Annapolis was one of the highlights of the vessel's tour of duty. From May 18 to June 5 she floated proudly in the bay's choppy waters displaying her colors. She was a magnificent sight, and her tall masts served as a beacon for the scores of distinguished visitors and common folk who came from far and near to see her. Dignitaries included President James Madison and First Lady Dolley, Secretary of the Navy Benjamin W. Crowninshield, Commodores John Rodgers and David Porter, Generals John Mason and Winfield Scott, Marine Corps Commandant Franklin Wharton, and Governor of Maryland Charles S. Ridgely—altogether one of the most impressive groups of officials to come to Annapolis in quite some time.

During that two-week period, Annapolis was a center of attraction. Midshipmen scurrying here and there daily carrying mail and getting provisions for the ship, and visitors eager to fasten their eyes upon this commanding vessel created a sense of excitement. Bystanders on the docks watched the ship's launch and cutters coming and going, some fully loaded with stores for the *Washington*'s long voyage ahead, others with people being ferried to and fro. As officials stepped onto her deck, her guns fired a welcome, sending great swells of smoke skyward and billows of sound rolling up the Severn River. News of the ship, the president's arrival, and of Annapolis' sudden celebrity circulated up and down the Eastern seaboard.

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But not all about the visit was lightness and gaiety. While at Annapolis, the *Washington*'s crew would suffer cruel mistreatment at the hands of Captain Creighton. Some of the civilian passengers suffered as well. Information about what happened on the ship was not entered into any of the ship's journals or made known to the public. As a result, Creighton never received punishment, or even admonishment, for his misdeeds.

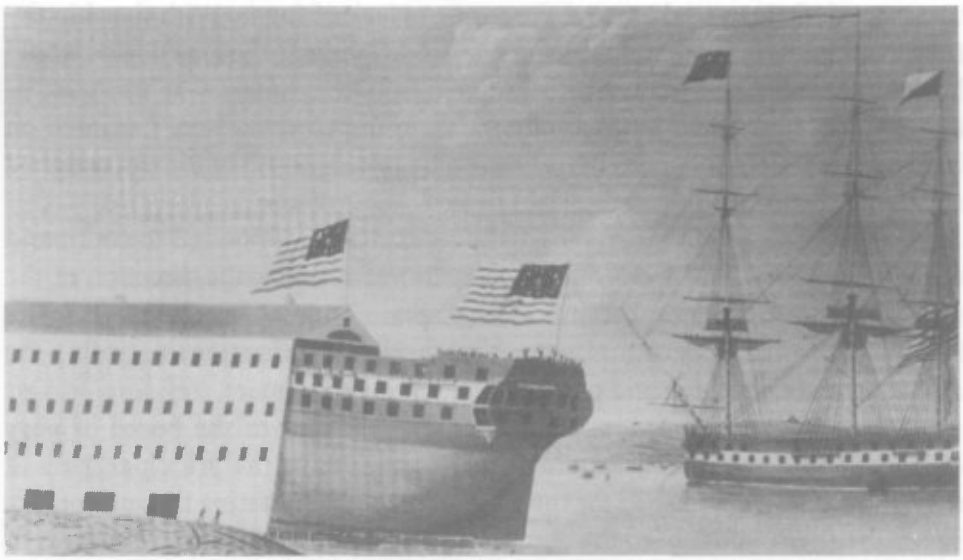
The Ship

The ship's history began on November 27, 1812, when, with the country once more at war with Great Britain, a bill recommending the construction of four seventy-four-gun ships, four frigates and four vessels of sixteen guns was introduced in Congress. Those who opposed the navy, and those who simply opposed the building of expensive ships, objected to the bill.[3] Supporters of the measure included Secretary of the Navy Paul Hamilton and navy officials who argued that large powerful vessels were necessary to defend the coast and to provide for the safety of coastal commerce. Congress authorized building the ships on January 2, 1813. Shipbuilders Hartt and Badger began work on the *Washington* in May 1813 at the Portsmouth, New Hampshire, Navy Yard.[4]

The responsibility for overseeing the work, ordering the materials, and meeting deadlines fell to the Portsmouth Navy Station commander, none other than Captain Isaac Hull, formerly commander of the U.S.S. *Constitution*. Hull had earned fame for his ship's victory over the British frigate *Guerriere* at a time when English supremacy of the seas was unquestioned. He took charge of the Portsmouth station on March 21, 1813.[5] Before construction of the *Washington* began, Hull had to hire carpenters, arrange for suitable design drafts for the vessel, construct adequate launching ways, make necessary improvements to the shipyard, increase defensive fortifications to protect the ship should the British prowl nearby, and obtain enough timber to carry the work through completion. Hull doubtless applied his first-hand knowledge of the well-built *Constitution* to the construction of *Washington*.

To facilitate work during the winter, Hull had a shiphouse built that provided adequate cover during inclement weather.[6] Nevertheless, a shortage of wood for construction of the ship and problems transporting the materials due to the British blockade, slowed progress considerably. Consequently, Hull directed that certain key parts of the ship that normally called for the use of pine, be made with available, albeit heavier, white oak.[7] This added to the ship's strength but, as was later discovered, increased her weight and caused her to ride lower in the water.

By September 1814, as a British army closed in on Baltimore after sucessfully capturing Washington, D.C., the ship was ready to be launched. On September 22,



Launching of the U.S.S. Washington. *(From* Dictionary of American Naval Fighting Ships *[Washington, D.C.: U.S. Government Printing Office, 1969].)*

Hull notified Secretary of the Navy William Jones that the vessel needed a name. Shortly thereafter she was designated *Washington*, in honor of the first president and perhaps to underscore American anger and determination after the burning of the capital. To prevent the British from learning of the launching, notice to the public was circulated only by word of mouth. Invitations were sent out to Governor John Taylor Gilman of New Hampshire, former Governor John Langdon, and military officers in the area.[8]

The vessel was launched on October 1, 1814, at 12:30 P.M. According to one account, a crowd gathered and excitedly cheered as artillery salutes resounded from the Navy Yard, Fort Constitution, and the armed ships *Harpy* and *America* lying in the harbor and "beautifully decorated with the colors of the European nations."[9] "The spectators were very numerous," a local newspaper reported, and when the ship had slid safely into the water, "the 'welkin rung' with their repeated cheers." The *Washington,* the paper concluded, "is considered one of the finest vessels of her class ever built."[10] The carpenters—at least a hundred—and others who had constructed the ship were given "an elegant collation" in their honor, and Hull was praised for his effort. "Great credit is due to the industry of Captain Hull, in the structure and superintendance of *Washington*, whose keel was laid but 18 months since, and whose launch at this time could scarcely have been predicted."[11]

During the winter of 1814–15, the *Washington* remained moored in the har-

bor as work fitting out the vessel slowed from lack of funds. With the ship defenseless, Hull worried that if the British expanded the war, the *Washington* would be in increased danger. As a precaution men from the *Adams* were mustered as a temporary crew and a number of guns from the *Congress* were mounted on her decks.[12] By February 1815 news had reached Portsmouth of the treaty signed at Ghent. The impending danger had passed.

By the summer of 1815, Isaac Chauncey had been appointed to command of the *Washington,* and work resumed on the vessel under the direction of the new Portsmouth Navy Yard commander, Captain Thomas Macdonough.[13] The latter wrote to the navy commissioners requesting specifications regarding the spars of standing rigging and plans for fabricating the square, stay, fore, and aft sails. On July 12 Commodore John Rodgers, president of the board of navy commissioners, responded, sending the "dimensions of the principal spars of standing rigging, established for the 74 gun ships" and insisting that no corners be cut. "Hitherto it has been the custom in some of our ships to have sheaves in the lower & topsail yards, instead of blocks for the topsails & top gallant sheets. Of the two, blocks, being preferable, are to be used." On July 19 Rodgers provided "a draft by which the sail maker will be enabled to cut the square sails." On August 5 he sent "a draft of the stay-sails and other fore and aft sails" and informed Macdonough that "it now only remains for them [the commissioners] to forward a draft of the studding-sails to complete the whole of the sails; and which they will do as soon as possible."[14]

On August 25, Commodore Chauncey arrived in Portsmouth to take command of the ship. The next day he "hoisted his broad pendant" and *Washington* was officially commissioned, although an entry in the ship's logbook for that date reported the work had not quite been completed.[15] Rodgers wrote to Captain Macdonough that the long guns were not yet installed: "The 32 pd. heavy cannon landed by the Independence must be taken for the Washington—They are centre hung. The light 32 pounders for the second deck are also to be centre hung."[16]

The *Washington*'s strength was first tested on the morning of Saturday, September 23, 1815, when a fierce hurricane blew into the harbor. The storm had come ashore the day before as "severe rain," but, by Saturday morning, the winds had grown to sufficient strength to devastate homes and churches along the entire New England coast. Many ships were reported destroyed. In Portsmouth, at least seven large vessels were driven ashore.[17]

During the height of the storm, men were ordered to secure *Washington,* which had broken her fasts and was being driven into the wharf, but not much could be accomplished in the face of such strong winds. "The roof of the large building under which the *Washington* was built was blown off, and [only] by securing it by lashings was prevented from being overthrown." By 2 P.M. that

day, the winds started to subside allowing the men to secure a cable to the vessel. It took about two hours to return her to her berth. "At 5 [o'clock that evening] the wind abating the ship was properly secured."[18]

In October and November 1815 the *Washington* received a number of visitors, including Captain Benjamin W. Crowninshield (later appointed Secretary of the Navy). "This ship probably being the first two-decker he had ever seen," opined the Portsmouth *Oracle,* Crowninshield, along with many others, was duly taken with the ship. "We did not hear whether he was 'honored with an invitation into the cabin,'" the paper continued, "but merely learnt that his relation of the wonderful things he had seen on board, could only be equalled by that of the lad who with feyther 'down to camp.'"[19] Early in November Chauncey received orders from the Navy Department to take the *Washington* to Boston for the winter. On Thursday, November 16, General Eleazar Ripley visited the ship and "was received with federal salutes."[20]

The *Washington* sailed for Boston on Friday, December 1, 1815. She was to join other ships also en route to Boston, and await further orders. At noon she departed with a "fair wind" and made more than ten knots with only a single mast employed. The run to Boston took about seven hours, after which she "came to anchor in the Light Channel on Saturday, and yesterday [Sunday, December 3] had passed the Narrows where she anchored, waiting a fair wind to come up the harbor."[21] On December 5, Chauncey notified Crowninshield, now Secretary of the Navy, that his ship had arrived at her destination.[22] On the following day, a squadron of frigates and brigs sailed into the harbor. *Washington* fired her guns in welcome as *Independence, Congress, Macedonian,* and *Chippewa* arrived. As Commodore William Bainbridge sailed by in the *Independence,* "he was saluted with 17 guns from this ship, and we exchanged our broad pendant from *blue* to *red.*"[23] On the twenty-seventh, the Navy Department dispatched a letter to Chauncey, telling him "to prepare the ship," by mustering in men from the frigate *Macedonian.* Commodore Bainbridge received a similar order. The *Washington* began to take on more men and supplies. In January Chauncey went to New York on personal business.[24]

It was a cold and trying winter, particularly for those who had no choice but to remain aboard. George Nicholas Hollins, a young midshipman, transferred to the *Washington* in January 1816 to serve as an aide to Chauncey. All hands were called at 4 A.M. to scrub the decks, "or rather holy stone them, the water freezing before it fell to the decks." The ship sent launches into the Boston Navy Yard for water at the same frigid hour. "It was most intensely cold & at that time midshipmen were not allowed to wear great coats on board nor to put their hands in their pockets." Discipline was strict, and shore leave prohibited.

Hollins and several other midshipmen nevertheless contrived a plan to get ashore. "After consultations & conferrings," two men from each mess approached

"Old Chauncey" and asked permission to go ashore to "purchase sea stores." After "great solicitation & most earnest entreaty," the Commodore agreed. "Imagine our delight at the prospect, such a brushing up & fising, such gleeful anticipations as we indulged in," Hollins recalled. "Our first thought was, . . . what would yield the greatest amount of pleasure in a short time as we had to be back by sundown." They hit upon it quickly. Each man hired "a huge old fashioned two wheel gig . . . , six or eight of us, no riding two in a gig for us, but every man in his own equipage." They started off "in procession & drove around the mightly hub of the Universe, & I *du guess* our Boston Puritans were overwhelmed with holy horror." They drove pell mell around the city, then pulled into Cornhill, where, as luck would have it, they encounted the flinty-eyed commodore himself. "There we were dressed in full split-Uniform coats, cocked hats, white pants (cassimere) fitting tight as the skin—high top boots & tassels, every boy of us with a segar in his mouth laying back. Each took off his hat, made a profound bow to the Commodore, & cut up his nag most vigorously that he might escape from the Commodore's sight as soon as possible." The next morning, Chauncey came back aboard and dryly inquired if the spirited midshipmen "had been laying in our sea stores in gigs."[25]

The *Washington*'s physical size, armament, and crew were considerable.[26] She was a 2,200-ton vessel. Her full length was 204 feet "from the aft side of the lafsail to the fore part of the figure at the height of the fife rail." A measurement of the "length of the tread of the keel viz from the aft side of the stern post to the fore part of the fore foot" listed her at 174 feet, 6 inches. Her "breadth extreme from outside to outside calculating both wales," 51 feet, 7 inches. Her main mast was 116 feet high, the bowsprit, 75 feet, and the foremast, 104 feet, 4 inches. Her "draft of water" with "about 90 tons of ballast on board she drew aft" was calculated at 17 feet, 7 inches, "forward," 16 feet, 2 1/2 inches, and "midship" 10 feet, 5 inches. The grace and refinement of her construction was finished off "at the head of this ship . . . with an elegant bust of the illustrious patriot whose name she bears."[27]

The ship's crew numbered approximately six hundred. She had ten lieutenants on board, including "Lieut. Wm. B. Shubrick [who] joined the ship and was introduced to the officers and crew as her first Lieutenant" on February 20, 1816.[28] Other key personnel included surgeon Bailey Washington, surgeon's mate Francis Gerrish, sail master Robert Nicolls, purser Thomas J. Chew, clerk William W. Carr, and school master Joseph Watson. Chauncey had "appointed Mr. Charles Folsom acting chaplain of this ship. Mr. Folsom was an officer in Harvard College, and most highly recommended by President Kirkland."[29] Twenty-six midshipmen served aboard the *Washington,* several of whom were sons or nephews of well-known naval officers. Included in the roster were William J. Belt, David G. Farragut,[30] William A. Lee, William W. Ramsey, Henry W. Ogden, John

S. Chauncey, Arthur Bainbridge,[31] Richard L. Hunter, John H. Lee, Charles P. Derby, John Kelly, Joseph [Bartone] Hull,[32] Edward C. Rutledge, Edward Watts, and John Evans. Other naval personnel assigned to the *Washington* included four masters' mates, one secretary, four carpenters, six sailmakers, one cook, one cooper, and a contingent of eighty marines.

The ship carried substantial armament, considerably more than the next largest classed forty-four-gun ships. In addition to her complement of up to seventy-four cannons, small arms included two hundred muskets with bayonets, two hundred pistols, 250 cutlasses, and two hundred boarding axes.[33] For the crew's comfort, the ship provided sixty-eight blankets and standard naval rations of pork, flour, bread, cheese, butter, peas, rice, molasses, vinegar, and spirits.[34] Season and availability determined whatever else the sailor might eat.

On August 1, 1815, the *Washington* took on 110 tons of ballast, just short of the 130 tons of added weight she was to carry when fully equipped for sea with provisions and men on board.[35] Once fully loaded, however, her lack of adequate freeboard posed a serious problem: the lower gun deck sat too close to the water and its ports could not be utilized under heavy seas.

On March 5, 1816, Crowninshield ordered Chauncey to "proceed immediately with the U.S. ship Washington under your command to the Chesapeake Bay and anchor at Annapolis; there to receive on board a Minister Plenipotentiary [Pinkney] from the United States who will take passage with you to the Mediterranean." Three days later, Crowninshield retracted the order and directed the ship to remain in Boston until further notice. About that time, it came to the attention of Naval authorities that a stowaway might be on board. Samuel Norris, a civilian in Philadelphia, had notified Secretary Crowninshield that "a young boy apprentice" named Daniel Baily was on the ship under the assumed name of Francis Thomas. Crowninshield asked Chauncey to remove the lad from the vessel. On April 3, the first casualty was reported: master's mate "Mr. Kirby" had died "on Friday evening, very suddenly."[36]

The Italian Musician

During this time, the *Washington* had received some private citizens. Gaetano Carusi, an Italian musician, his wife Philippa, and their three sons Samuel, Nathaniel, and Lewis, had traveled from Philadelphia to Boston in April to secure passage on the *Washington* to Italy. The Carusis came to America in 1805 after the father and his three sons had enlisted as United States Marine Band musicians but after having served only one-half of their three-year terms they were forced to resign as the result of misunderstandings and broken agreements by military service officials. Gaetano later brought several petitions for redress of this matter before Congress. In support of his suit, he later wrote a detailed

account, *Narrative of Gaetano Carusi, in Support of His Claim before the Congress of the United States* (1840), a document important for its information on Carusi's connection to the *Washington* and the events that occurred aboard the ship.

In an effort to compensate the Carusis for their losses, John Graham of the State Department contacted Benjamin Homans of the Navy Department instructing the latter to arrange passage for Carusi and his family on the *Washington* for their return to Sicily. Homans replied that Carusi would be "landed at Sicily free of expense" but first he had to "proceed immediately to Boston at his own expense, and repair immediately on board the ship, now ready for sea, and waiting only the return of Commodore Chauncey, who arrived here yesterday."[37] Carusi, who had been living in Boston "as cheaply as possible, my expenses were forty dollars per week," was only too glad to board the *Washington*. Chauncey received him "politely and courteously."[38]

Other private citizens also boarded *Washington* in Boston. They included the wife of Bernard Henry, United States Consul at Gilbraltar, the wife and sister-in-law of Commodore Chauncey, and Jacob Crowninshield, nephew of Secretary Crowninshield. Francesco Masi, a Boston organist, composer, and publisher, and his brother Vincent, a dancing master, were also cited as passengers.[39]

On April 24, Crowninshield directed Chauncey to "proceed immediately with the U.S. ship Washington" to Annapolis. Three days later, John Orde Creighton was promoted to the rank of captain, and a note in the ship's logbook on that day reported the crew was mustered at 11 A.M. and read the Articles of the Navy.[40]

On Wednesday, May 8, 1816, at 8 A.M., the *Washington* weighed anchor and left Boston. She was accompanied out to sea by the schooner U.S.S. *Lynx*, which sailed alongside for several hours. The start of her maiden voyage was heralded everywhere as a significant event, not only for American shipbuilding, but also in that it bolstered the confidence and spirit of America's naval presence. "We learn from an officer of the Independence, who went out several leagues in the Washington, that she sailed very fast, worked with much ease, and bids fair to keep up the reputation of this country for superior ship building," wrote the *Boston Gazette*. "And we doubt not, from the well known characters of the Commodore and Captain, as officers and gentlemen, the high standing of her other officers, and the excellence of her crew, that she will do herself justice, and support the honor of the American Nation, wherever her flag shall appear."[41]

The first four days at sea were uneventful. On May 12, at 5 P.M., "an American brig from Charleston, S.C. bound to Boston" came alongside the *Washington* to exchange greetings. Later that day, the weather turned for the worse and by 11 that night "a heavy squall with thick rain" had forced the crew to haul down the topsails and jib. The next day the ship passed a "Philadelphia pilot

boat 7 days out," and reported the second casualty of the ship's commission: quartermaster Leddick Tarr died during the evening and he was immediately committed by his officers "to the deep."[42]

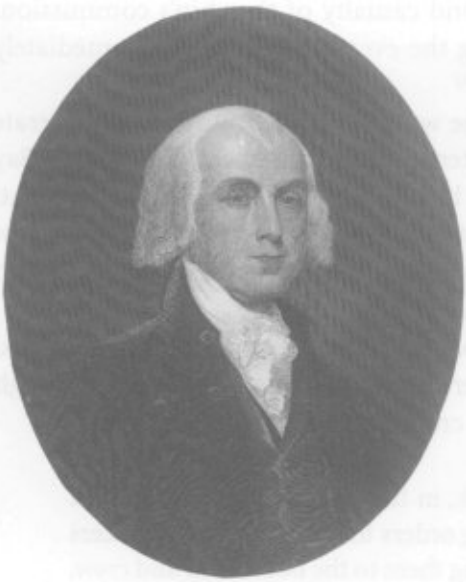
On the morning of May 15, with the weather "part cloudy with moderate breezes from E[ast]," the *Washington* entered the mouth of the Chesapeake Bay and sailed north, reaching Shay's Island by 10 P.M. where she stayed the night. Her trip up the bay had not gone unnoticed: "Vessels that came up the Bay at [the] same time report that she sails astonishingly fast, leaving every thing with ease, without the use of her steering sails."[43]

Navigating the Chesapeake was probably a new experience for many aboard the new ship. With sails set and streamers flying, she steered carefully through the bay's channels. In 1828, a Baltimore crew reenacted a similar voyage:

> The officers and crew were on deck, in the various occupations of a sailor's life. The commander giving orders to his officers, the officers with their speaking trumpets passing them to the boatswain and crew, the boatswain enforcing them with his shrill call, the sailor in the shrouds heaving the lead & singing the soundings, and the orderly bustle and regular confusion on ship-board at sea.[44]

On Thursday, May 16, about dawn, amidst "light breezes from N.E. and clear weather," the *Washington* cleared the shoals off Thomas Point, and arrived at Annapolis at 4 P.M. According to the ship's log, her anchor was lowered in 8 fathoms of water at Annapolis Roads, a point where the sailing lane of the Chesapeake Bay meets that of the Severn River. The *Washington*'s seventeen-foot draft prevented her from entering the Severn's shallow waters. An 1846 nautical map of the waters around Annapolis has depth measurements and provides clues as to the probable location of the ship's anchorage. "The best anchorage in the Outer Roads for large Vessels of War is in 8 fathoms water, muddy bottom, with the Poplar on Horn Point in range with the State House and Thomas Point Light house bearing S.W. 1/2 S. by compass. This anchorage is distant 4 1/4 miles from the City of Annapolis."[45] This would have placed the *Washington* at or near a point indicated on the map as "position no. 3," which would have provided her a clear view of the "whole length" of the Severn River, the State House and other landmarks, much of the shoreline, and both north and south views of the bay. Residents standing on the banks of the Severn would have been able to see her.

The crew began the arduous work of preparing the ship for her layover. Sails were lowered and the anchor dropped, the latter task taking about two hours. Meanwhile, Commodore Chauncey immediately sent a dispatch off to Secretary Crowninshield informing him that the flagship had arrived at Annapolis



President James Madison inspected the ship in the company of local dignitaries. (Maryland Historical Society.)

and that he was "ready to execute any further orders which you may honor me with." On the following day, May 17, with "clear weather, all hands [were] employed setting up rigging." A logbook entry recorded the surgeon's report that "36 sick" men were infirmed on that day.[46]

Chauncey was aware of the interest that both civilians and military personnel in Washington and Baltimore had in inspecting this newest marvel of the waters, and he was more than willing to show off tangible results of Congress's naval appropriations. Commodore William Bainbridge, commander of U.S.S. *Independence*, another seventy-four-gun ship, contacted Secretary of the Navy Crowninshield urging him to inspect *Washington*. "Almost all Baltimore persons desirous of visiting the Washington. I trust that you will visit her at Annapolis and examine her with a eye in order to compare her with the Independence." In Washington it was reported that "The visit of the Washington Seventy-Four gun ship to Annapolis, makes that place the seat of high attraction at present. Many have been drawn to that place within a few days, by curiosity, business, or to visit their friends on board the ship."[47]

The ship's launch busily shuttled military personnel and civilians to and from *Washington*, as private steamboats brought visitors from Baltimore and possibly other ports. Joseph Skinner, Captain of the steamboat *Eagle*, advertised passage to the *Washington*, beginning on May 18, with subsequent trips on May 20 and June 1. Departures were scheduled early in the morning with return trips later in the evening. "Persons intending to take passage, will, if convenient, leave their names with Briscoe and Partridge, Bowly's [*sic*] wharf. Joseph Skin-

ner, Captain." Another steamboat that ferried individuals to the *Washington* was the *Chesapeake*, under the command of Edward Trippe. The boat left Bowley's Wharf at 7 or 8 A.M., and returned in the evenings.[48]

The first group of citizens visited the flagship on May 18 and, according to a newspaper account, found the ship in top-notch condition. Commodore Chauncey received them "with great politeness," and they found the *Washington* a "noble specimen of American naval architecture, combining force with elegance with neatness." The crew appeared to be "in a state of perfect happiness, content and discipline" and "worked the guns with the facility of a company manaeuvering their muskets." To a newspaper reporter's eyes, all was impressively in order. "The decks were clean, and the mess kids, cans and tin cups were placed in rows with two bibles upon them for each mess, and the whole together formed a subject of the highest gratification to the patriot, the man of science and the curious citizens who made the excursion in one of our Steam Boats."[49]

According to another report, the ship was a "miniature city." As groups of citizens were shown about, they got a rare look at what life was like on a ship-of-the-line. For example, in the mornings, the men carried their hammocks in the berthing deck to the top to be stowed, and wet clothes and bedding were hung for drying. The men were mustered each day, decks and clothes were washed, and the messing place was cleaned each morning, followed by a cleaning of the hold. The sailing master and surgeon inspected the galley and food. Men conducted small arms training and gun drills. Others worked in the rigging or cleaned equipment while yet others pumped the bilge, fumigated the berthing deck, and holystoned the gundeck.

On May 20, Commodores Rodgers and Porter, who had recently arrived in Annapolis, were taken to the ship at noon and "saluted with 17 guns." Both Commodores remained in Annapolis several days in order to join President Madison for the latter's tour of the ship. On that day as well, Commodore Chauncey wrote several letters to Secretary Crowninshield, one of which informed the secretary that recent promotions had left him with a surplus of officers, and two midshipmen were therefore ordered to report to the Navy Department. Additional letters to Crowninshield inquired how "Marine officers in the squadron under my command [were] to be furnished with funds?" and noted that Charles Folsom had been apppointed acting chaplain of the ship prior to leaving Boston.[50]

On the morning of May 20, President Madison and First Lady Dolley left Washington "with the Heads of Depts," arriving in Annapolis that evening. Accommodations for the Madisons, Secretary Crowninshield, and Commodores Rodgers and Porter were provided by Caton's Hotel.[51] In preparation for the presidential visit, the commandant at Fort McHenry in Baltimore sent his band of musicians to the *Washington* to provide music for a presidential review, unaware that the Carusi musicians were aboard and fully prepared to provide the

music. According to F. Gilldorff, "Master of the Band" at Fort McHenry, "When we arrived on board the Washington we found they were provided with a band of which Mr Gaetano Carusi was leader and finding they had no need of our Band our Commandant sent us to Fort Severn in Annapolis."

Presumably, Carusi's private band performed for the president.[52] In addition to Carusi, the band's musicians included his three sons Samuel, Nathaniel, and Lewis, all of whom were experienced military wind instrumentalists. Other musicians may have included Giuseppe Sardo, an Italian friend of Carusi who was likely on the *Washington*, as well as the ship's four Marine fifers and drummers. The musical repertory was appropriate for the occasion. Among the works the band probably played were "Washington's March," "Hail Columbia," "Yankee Doodle," "Jackson's March," and "Madison's March."[53]

On Tuesday, May 21, the president and his party were taken by launch—Madison believed his visit to the *Washington* was an unofficial trip and, therefore, paid the $25 shuttle fee himself—to the *Washington*, amidst a volley of cannon salutes from the forts and ship. The logbook reported that "His Excellency James Madison the President of the United States and Lady, accompanied by the Secretary and Commissioners of the Navy . . . came on board to visit the Ship, on which occasion the yards were manned and they were saluted with 19 guns and three cheers." The Madisons were likely first introduced to the ship's officers. As the band played, Madison might have recognized Carusi, for they had met in Washington years before when Carusi was trying to settle his misunderstanding with the Marine Corps. There followed a tour of the ship and then dinner. "The president and his lady, with several military and naval officers and others, dined on board the Washington 74, now off the harbor, on Tuesday last." The dinner was likely a tastefully prepared affair. According to midshipman Hollins, "Commodore Chauncey was famous for his good dinners & excellent wines." At 5 P.M. in a light rain, the presidential party disembarked. "The yards were again manned and the national salute fired."[54]

"We understand the President was much pleased with the appearance of the ship, her crew and equipments; and received with cordiality the respectful attentions of the governor and citizens of Annapolis," the newspapers reported.[55] Madison enjoyed himself so much that he decided to stay in Annapolis two additional days to honor separate dinner invitations from Charles Carroll of Carrollton and Governor Ridgely.

For the next several days, the ship's launch as well as commercial steamboats were kept busy hauling people to and from the *Washington*. No information is given as to who these "citizens" were, though some among them were very likely Federal Republicans of Anne Arundel County, who had chosen to hold their meeting in Annapolis during the ship's stay. On May 28 the log entry reported that "at 3 p.m. [a] General came on board accompanied by other visi-

tors; fired a salute of 9 guns" and "at 4 pm the above mentioned gentlemen took their leave of the ship." The general referred to was probably either John Mason or Winfield Scott, or perhaps both. A local newspaper reported the presence of "General Mason and lady" and "the gallant General Scott" in Annapolis to see the ship.[56] On May 29, Governor Ridgely, accompanied by a group of friends, came aboard the *Washington* "on which occasion a salute of 17 guns was fired." An hour later "His Excellency retired" and the yards were dutifully manned, three cheers given, and seventeen guns fired.[57]

Meanwhile, Carusi observed, "Commodore Chauncey had on board his wife and sister-in-law, and determined to go, during his stay, to his own house in New York. He went, and left the ship under the absolute control of Captain Creighton."[58]

Captain J. O. Creighton

John Orde Creighton's gradual rise to a position of power began in 1800, when he served as a midshipman aboard the U.S.S. *President*. Subsequent tours of duty included the *Vixen*, *John Adams*, and *Constitution*, 1802–4. Creighton was promoted to the rank of lieutenant in 1807, and served aboard the *Chesapeake* during that frigate's disastrous engagement with the British man-of-war *Leopard* in June of that year. A number of the *Chesapeake*'s officers, Creighton among them, petitioned the Secretary of the Navy for a court of inquiry to determine to what degree Captain James Barron was responsible for losing that battle. Coincidentally, Gaetano Carusi, who had secured passage to his native homeland, was also on board the *Chesapeake* at the time of that engagement,[59] and that is likely where he and Creighton first met.

From May 31 to June 2, Creighton ruled with an iron hand. At 4 A.M. on the morning of May 31, according to the logbook, all hands were called "to witness punishment." On the following day, at least eighty men had their backs lashed and the entire crew was deprived of water for fourteen hours. On June 2, as many as forty more men were whipped.

Creighton's wrath also fell upon Carusi and his children, as well as others connected to him. Carusi described Creighton as a monster. "Those who are conversant with ancient and modern history" he complained, may compare "Dionysius of Syracuse, Phalaris of Agrigentum, Nero of Rome, and Marat, Danton, and Robespierre, of Paris," but none of those "can compare in tyranny and despotic violence, with J. O. Creighton." "He never, to my knowledge, caused any one to be murdered, but it was only because he had not the power; and the power of which he was possessed he was constantly stretching to the utmost, to gratify his cruel disposition. He even studied to invent punishment for his men." Though naval regulations stipulated that "in port, water shall be dealt without

William Pinkney (1764–1822) boarded the Washington *in Annapolis prior to sailing for Naples to settle maritime disputes with the French government. (Maryland Historical Society.)*

limit to the crew," Creighton on June 1 halted the crew's water rations from eight in the morning until ten at night, despite their suffering "indescribable tortures" from the heat, unnecessary duty, and salt food. Carusi, who with his sons had played music whenever Creighton requested it, nevertheless "took it for granted that my time for suffering would soon arrive." Creighton insulted him "most infamously" whenever they passed, bellowing "Damn your soul! Your children be damned! God damn you!" He threatened to have Carusi's music students "flogged three days in succession, and then have them immersed in the water, with a heavy weight attached to their legs." Carusi determined he had no choice but to leave the ship. "Had I been drowned, I believe the wretched tyrant would have rejoiced."[60]

Why Creighton displayed such intense anger toward Carusi may never be fully understood, although it might have stemmed from an incident aboard the *Chesapeake*. The captain also might have been influenced by Marine Corps Commandant Franklin Wharton who came aboard on June 1. It was Wharton who in 1806 had forced Carusi to resign from the corps but not before the Italian had several times refused and had reported Wharton's wrongdoings to the Secretary of the Navy. Doubtless Wharton had been pleased to finally be rid of Carusi, so it must have been a surprise for him to see Carusi once again, and on board a United States Navy ship. (One wonders if Carusi and his musicians

were playing a tune when Wharton stepped onto the ship's deck.) Wharton surely spoke unkindly about Carusi to Creighton and possibly recommended that Creighton have the Italians removed from the ship.

The punishment carried out on June 1 was neither recorded in the ship's logbook (an entry noted simply that the men were mustered at 11 A.M.) nor is there evidence that the incident was reported to Chauncey. However, some of the crew met secretly and wrote an anonymous letter to Secretary Crowninshield. They not only described what happened, but also begged Crowninshield—"we all implore at your feet for mercy sake to help us"—to relieve Creighton of his command. Creighton was, they wrote, "a monster and a very cruel one two," whose appetite for punishment seemed "never satisfied . . . from morning till night." He gave the cobbler twenty-four lashes "for delaying a few minutes mending his boots." Another crewman received fifty lashes on the bare back for staring in what Creighton took to be impudence, and Creighton "made him kneel down to beg his pardon and made him kiss his feets saing that he was more than a god." On June 1 and 2, Creighton "had the pleasure . . . of cutting the backs of seventy-five, to eighty persons, and on Sunday morning for us poor sailors not being very clean, he cut the flesh of forty more." They signed themselves, "your most humble and unhappy crew."[61]

Carusi, aware of Creighton's reputation and the need to protect his own interests, decided to get signed testimonies from three witnesses. He noted as well that Commodore Chauncey eventually was "unable to bear . . . [Creighton's] insolence and bad conduct, suspended him from his command during their quarantine in the bay of Naples, put him under arrest, and sent him home to America by the first opportunity." Moreover, Carusi wrote, "it is well known at the Navy Department that he has never been upon a cruise that he has not been subjected to a court of inquiry on his return."[62]

Carusi's witnesses included musician Giuseppe Sardo who wrote: "Gaetano Carusi with his family were obliged to disembark for not being able to suffer the oppression and brutal manners of John Ordo Creighton captain of said ship under Commodore Chauncey." F. Gilldorff, "Master of the Band" at Fort McHenry testified: "Mr. Carusi had disembarked with all his family on account of the bad treatment he received from the Captain J. O. Creighton." Thomas Downey agreed: "The said G. Carusi and family disembarked in Annapolis, Maryland, to not suffer the insults, tyranny, oppression and maltreatment from Capt. John Ord Creighton, Capt. of the Washington under the command of Com. Chauncey."[63]

It is difficult to determine whether Captain Creighton's treatment of the crew was warranted. He was, after all, a veteran of a naval engagement, and perhaps he saw a softness or laxness in the crew. But there is the matter of his less than glowing reputation. In 1810 he was cited for having allegedly beaten

some seamen. In August 1816, when the *Washington* was in the Mediterranean, Creighton was arrested and tried in a case brought against him by a midshipman but was ultimately found not guilty.[64]

At five in the afternoon of June 3 the commodore returned. Carusi immediately went to him and "without stating the course of conduct pursued by J. O. Creighton, (for where was the use)" claimed that his health demanded that he leave the ship. The next day, "sick in body, worn out in mind," and having lost since leaving Philadelphia "about two thousand dollars, besides all that I had brought from Sicily," Carusi and his musicians left the ship. The Italians boarded Captain Trippe's steamboat *Chesapeake*, which had brought visitors to Annapolis. In his advertisement for that day, Trippe noted that "A Band of Music will be on board the Chesapeake."[65]

During the last week in May, the *Washington* completed its provisioning for the long voyage to Europe—fifty barrels of beef and pork, rice, bread, fifteen barrels of flour, seventy-five boxes of candles, six barrels of molasses. In addition, "All hands were employed in scrubbing and washing clothes." On June 1 the watering gang finished "watering the ship," having supplied it with 70,000 gallons.[66] On June 5, the last group of visitors toured the ship. Commodore Chauncey had in his hand a dispatch by the Secretary of the Navy stating William Pinkney had been ordered "to report himself to you for duty" and a letter from Pinkney listing the dozen or so members of his family and associates who were to accompany him on the trip.[67]

On June 6 the *Washington* sent an early launch for Pinckney, who came aboard with a seventeen-gun salute in the middle of the morning. At eleven the *Washington* hauled anchor and "got underway. Lay to until Meridian At Meridian, when we made sail down the Bay."[68] Firing her cannons to answering salutes from the harbor guns, and flying the commodore's pennant, the *Washington*—with Creighton in command—slowly left Annapolis Roads "with a full press and a fine western gale" on a course that led her down the bay. Newspapers up and down the Eastern Seaboard described the vessel's departure and her mission. "Our minister [Pinkney] debarks at Naples, and after settling our affairs at that court proceeds by land to St. Petersburg. As this may justly be considered the most splendid embassy that has ever left our country, the best prayers of the nation accompany her worthy representative."[69] Another awestruck reporter gushed: "Ships of war . . . present, in their interior, a world in miniature, ruled by a government as complex as that of a nation. But however high may be the anticipations of visitors, we are not assured they are more than realized in the power and in the perfection of the equipments of this vessel."[70]

The *Washington* reached the mouth of the Potomac at Point Lookout the next day and on the following day Cape Henry, Virginia, where she waited for a few hours before standing out to sea. For the next two years, the *Washington*

sailed the Mediterranean as flagship of the American squadron, displaying her might so as to convince the Barbary states to respect American commerce.[71] During that time, she continued to attract attention and often served as host to persons of high position. On the Fourth of July, 1816, for example, "the Governor of Gilbraltar and the Dutch Admiral visited the ship," and in 1817, General Nugent, commander of Austrian forces and Prince Henry of Prussia were entertained on board.[72]

On February 1, 1818, Commodore Charles Stewart relieved Commodore Chauncey as fleet commander.[73] In May of that year, the *Washington* sailed home with Thomas D. Anderson, counsel at Tunis on board, and arrived at New York early in July. She anchored at the quarantine ground, and received aboard Daniel D. Tompkins, Vice President of the United States.[74]

The U.S.S. *Washington* did little sailing thereafter. She remained at New York until 1820. On May 30 of that year she fired her long guns as a salute to the newly launched U.S.S. *Ohio* as "thousands of spectators . . . on the surrounding hills and house-tops" watched. *Washington*'s salute might have alerted everyone there that her days as a sailing vessel were numbered. She was placed "in ordinary" that year and remained inactive until 1843 when she was broken up.[75]

Washington's visit to Annapolis was a notable event, a highlight in the history of the ship and town alike. By coming to Annapolis, the ship changed destinies of several of those associated with her. William Pinkney successfully settled the affairs connected with the Murat regime. From there he went to Saint Petersburg as American minister to Russia (1817–18). Gaetano Carusi and his family, although they had lost their opportunity to return to Italy, ultimately wound up in Washington, D.C., where they became successful teachers, composers, and impresarios who contributed extensively to cultural life there. Isaac Chauncey's distinguished service as commodore was followed by an appointment in Washington as a Navy commissioner.[76]

The officers and men who suffered Captain Creighton's harsh treatment during those days in Annapolis nonetheless remained loyal to the commodore, the ship, and their mission.[77] There is no evidence that Creighton ever came before a court of inquiry for his conduct aboard the *Washington.*

NOTES

1. Brief notes regarding the arrival of the *Washington* in Annapolis are in James L. Mooney, ed., *Dictionary of American Naval Fighting Ships,* 8 vols. (Washington, D.C.: Naval Historical Center, Department of the Navy, 1981), 8:123–24; Irving Brant, *James Madison, Commander in Chief* (New York: Bobbs-Merrill, 1961), 406–7; Charles Oscar Paullin, *Commodore John Rodgers* (Annapolis: United States Naval Institute, 1967), 314; and Elihu S. Riley,

"The Ancient City": a History of Annapolis in Maryland, 1649–1887 (Annapolis: Record Printing Office, 1887, repr., Annapolis: Anne-Arundel Bicentennial Committee, 1976), 253–54. Many thanks to Jane Porter, Portsmouth Athenaeum, Richard E. Winslow III, Portsmouth Public Library, and Margherita M. Desy, U.S.S. Constitution Museum, for their help in providing pertinent information for this article.

2. Often spelled "Chauncy" in original sources.

3. A bill was introduced into the House on November 27 recommending the building of "4 ships of 74 guns; four large frigates; and four vessels of 16 guns." *National Intelligencer,* November 28, 1812.

4. William Badger (d.1829) was a prolific builder of ships. Between 1800 and 1829, he had constructed fifty-three vessels, twenty-four of the frigate category. Ray Brighton, *Port of Portsmouth Ships and the Cotton Trade: 1783–1829* (Portsmouth, N.H.: Peter E. Randall, 1986), 145–46.

5. Hull "received orders to take command of the Navy Yard at Portsmouth and to superintend the building of a seventy-four at that place" on this date. Isaac Hull to his father, Joseph Hull, March 21, 1813, Fulweiler family papers, Cambridge, Mass.

6. Maloney, Linda M., *The Captain from Connecticut: The Life and Naval Times of Isaac Hull* (Boston: Northeastern University Press, 1986), 211–19, 244–47.

7. For an interesting and informative article that discusses the uses of oak in the construction of ships, see "On Ship Timber," *American Advocate and Kennebec Advertiser,* August 19, 1815, 4.

8. Maloney, *Captain from Conecticut,* 252.

9. *Portsmouth Oracle,* October 8, 1814.

10. *New Hampshire Gazette,* October 4, 1814. The launching was also mentioned in the *Boston Gazette,* October 3, 1814. An oil on canvas painting attributed to John S. Blunt, 1814, of the *Washington* being launched is found in several works: Maloney, *Captain from Connecticut,* 253; *Dictionary of American Naval Fighting Ships* (1969), 4:578; Nina Fletcher Little, *Little by Little: Six Decades of Collecting American Decorative Arts* (New York: E. P. Dutton, 1984), 55; cover of the *Annual Report* (1996) of the Society for the Preservation of New England Antiquities, Boston. The painting is held by the society. In 1996–97, the work was part of an exhibit, "A Passion for the Past," which was scheduled for displays in Pittsburgh, Minneapolis, New York, and other cities. An illustration of an artist's rendition of the *Washington* as Commodore Chauncey's flagship sitting in the Bay of Naples is in *Dictionary of American Naval Fighting Ships* (1981), 8:123.

11. *Portsmouth Oracle,* October 8, 1814.

12. Maloney, *Captain from Connecticut,* 254. To bolster defenses in Portsmouth, Governor John Gilman activated seven companies of militia but having refused to place the troops under the command of federal officers later "sent the men home." In the late summer of 1814, Gilman worked out an agreement whereby 1,500 troops would serve under regular officers. Donald R. Hickey, *The War of 1812: A Forgotten Conflict* (Urbana: University of Illinois Press, 1989), 266.

13. *American Advocate and Kennebec Advertiser,* July 15, 1815. A few months earlier it had been reported erroneously that Captain Stephen Decatur had been appointed to command the *Washington.* Ibid., April 1, 1815.

Captain Hull left Portsmouth on March 26, 1815, for Washington, D.C., where he was "to commence his duties as a Commissioner of the Navy." *American Advocate and Kennebec Advertiser,* April 8, 1815, 4.

14. John Rodgers to Capt. T. Macdonough, July 12 and 19 and August 5, 1815, Joseph W. P. Frost Collection, Frost Homestead, Eliot, Maine.

15. *Portsmouth Oracle*, August 26, and September 2, 1815. U.S. Ship *Washington* Logbook, 1815–20 (3 vols.), Record Group (hereafter RG) 24, National Archives. This logbook consists of two separate accounts, one untitled, the other, "Remarks and occurrences on Board U.S. Ship Washington." Both contain slightly different wording of essentially the same information (reports for weather conditions, depth measurements, and key nautical events).

Another logbook, "Journal of Capt. William Joseph Belt, 1816–17" (hereafter Belt Journal), Belt Collection, Manuscript 117, Journal 5, is held in the Maryland Historical Society, Baltimore. The Belt Journal, however, does not contain entries for the period (May 17–June 6) when the *Washington* was moored in Annapolis. All of the above accounts are cited in Claudia Bradley, Michael Kurtz, et al., *List of Logbooks of U.S. Navy Ships, Stations, and Miscellaneous Units, 1801–1947*, Special List 44 (Washington, D.C.: National Archives and Records Service, 1978), 291.

In addition, there is an outfits logbook, "U.S. Ship Washington, 1820," in the Miscellaneous Manuscripts Collection (location 80-4710) of the Library of Congress that compares all classes of ships, including 74, 44, 36, and 32 category frigates, sloops and brigs for authorized outfits and boatswain's stores, the latter "calculated for eight months services."

Another useful source is the Board of Navy Commissioners' report, "Estimate of the Annual Expenses of a 74 Gun Ship (January 1816)," sent by John Rodgers, president of the board, to Secretary of the Navy Benjamin Crowninshield, February 7, 1816, in "Miscellaneous Letters Received by the Secretary of the Navy, 1801–84," RG 45, microfilm 124, roll 75, National Archives, Washington, D.C. This document lists all standings and salaries, provisions and their costs, clothing, and military stores.

16. John Rodgers, President of the Board of Navy Commissioners, Washington, D.C., to Capt. Thomas Macdonough, Portsmouth, N.H., September 9, 1815, in Frost Collection.

17. This was probably the same hurricane reported to have passed by Wilmington, N.C. on September 9–10 causing major damage with many vessels wrecked. *Portsmouth Oracle*, September 23, 1815. "It was remarked that during the gloom and uproar of the late tempest, the sun frequently burst through the clouds in resplendent lustre: as if 'to show the wild winds the wrecks they were making.'" *Portsmouth Oracle*, September 30, 1815.

18. Ibid., September 30, 1815. *Washington* Logbook, September 23, 1815.

19. *Portsmouth Oracle*, October 14, 1815.

20. Ibid., November 4, 1815, and *Boston Weekly Messenger*, November 9, 1815. On the following Monday (November 20) a public dinner was given for Ripley, Commodore Chauncey, and Captain Macdonough at the Assembly Room. *Portsmouth Oracle*, November 18, 1815. News of the dinner was also reported in the *American Advocate and Kennebec Advertiser*, November 25, 1815, and *New Hampshire Gazette*, November 28, 1815.

21. *Portsmouth Oracle*, December 2 and 9, 1815; *Boston Gazette*, December 4, 1815.

22. Letters Received from the Secretary of the Navy, December 12, 1815, RG 45, microfilm 149, roll 12, National Archives. Secretary William Jones resigned on December 1, 1816.

23. *Washington* Logbook, December 6, 1815. By December 9, the *Constitution* and the schooner U.S.S. *Lynx* had joined the squadron in the harbor. *Portsmouth Oracle*, December 9, 1815. The December 7 issue of the *Boston Gazette* reported the *Washington* as still anchored off the Narrows. Additional information on the *Washington* in Boston is found in Edwin C. Bearss, *Charlestown Navy Yard: Boston National Historic Park, Massachusetts*, 2 vols. (Denver: U.S. Department of the Interior, National Park Service, 1984).

24. "To Com. Isaac Chauncy U.S. Ship Washington, Boston, from Navy Dept.," in Letters sent by the Secretary of the Navy to Officers, 1798–1868, microfilm 149, Roll 12, National Archives. The *Macedonian* was in serious, deteriorating condition and was brought to Bos-

ton for an overhaul, thus making it an expedient choice for a transfer of personnel. Much of the *Washington*'s contingent of marines was drawn from "all ships assigned to the Boston station, except those on Independence. . . ." Bearss, *Charlestown Navy Yard,* 1:372. Secretary Crowninshield to Chauncey, December 27, 1815, Letters Sent by the Secretary of the Navy, microfilm 149, roll 12, National Archives.

25. "Autobiography," 233–34. For a photograph of a portrait of Chauncey by Gilbert Stuart, see William M. Fowler Jr., *Jack Tars and Commodores: The American Navy, 1783–1815* (Boston: Houghton Mifflin, 1984), 224.

26. Taken from the Belt Journal.

27. The diameter of the mast was probably approximately the same as the 38-inch diameter of the 117-foot main mast of the *Independence* 74. *Frederick-Town Herald,* July 30, 1814. See also *Portsmouth Oracle,* September 2, 1815. Also reprinted in the *Boston Gazette,* September 4, 1815, and *American Advocate and Kennebec Advertiser,* September 9, 1815.

28. The figure of six hundred was reported in the *Baltimore American and Commercial Daily Advertiser,* May 21, 1816. A "Table of Officers and Men for Ships in the Navy of the United States," in the Belt Journal states eight lieutenants were usually assigned to a 74-class vessel. Commodore Chauncey would later have several midshipmen that had been recently promoted to lieutenant reassigned due to a surplus of officers on board. "A List of Officers on Board U.S. Ship Washington," also in the Belt Journal, provided many of the names of the officers and midshipmen assigned to the vessel. *Washington* Logbook, February 20, 1816. Commodore Chauncey had Shubrick transferred from the *Constitution* under order issued from Benjamin Homans of the Navy Department, September 29, 1815. Letters Sent from the Secretary of the Navy, microfilm 149, roll 12, National Archives.

29. Chew also served on the *Chesapeake* and *Constitution.* Isaac Chauncey to Benjamin Crowninshield, May 20, 1816, in Letters Received by the Secretary of the Navy.

30. Farragut's assignment to the *Washington* is discussed in A.T. Mahan, *Admiral Farragut* (New York: Haskell House, 1968), 53–54.

31. Secretary Crowninshield issued an order to Commodore Bainbridge on February 3, 1816, directing him to assign Arthur Bainbridge to the *Washington.* Letters Sent from the Secretary of the Navy, microfilm 149, roll 12, National Archives.

32. Nephew of Captain Isaac Hull.

33. Compare small arms authorized for 44-class vessels: 120 muskets with bayonets, 150 pistols, 200 cutlasses, 150 boarding axes. "U.S. Ship Washington, 1820" (outfits logbook) in Miscellaneous Manuscripts Collection, location 80-4710, Library of Congress.

34. John Rodgers, "Estimate of the annual expenses of a 74 gun ship."

35. Belt Journal.

36. Benjamin Crowninshield to Com. Isaac Chauncey, March 5, 1816, in Letters Sent by the Secretary of the Navy, 283. Crowninshield to Chauncey, March 29, 1816, microfilm 149, roll 12, National Archives; *Columbian Sentinel,* April 3, 1816.

37. Navy Department, January 20, 1816, reprinted by Gaetano Carusi in *Narrative of Gaetano Carusi, in Support of His Claim before the Congress of the United States* (1840), in Senate Records, RG 46, box 15, 36A-E1, National Archives. Carusi's *Narrative,* a summary of his experience in America, constituted a suit to Congress for compensation for his losses due to the broken military agreements. The *Narrative* provides substantial information concerning the *Washington.* An account of Gaetano Carusi is found in James R. Heintze, "Gaetano Carusi: From Sicily to the Halls of Congress," in *American Musical Life in Context and Practice to 1865* (New York: Garland Publishing, 1994), 75–131.

38. Carusi, *Narrative,* 14.

39. Secretary of the Navy Benjamin Crowninshield wrote to Chauncey on February 2 instructing the commodore to take Mrs. Henry to Gibraltar. Letters Sent by the Secretary of the Navy to Officers, 1798–1868, microfilm 149, roll 12 (January 3, 1815–April 30, 1817), 264. Carusi, *Narrative,* 14. Tom Carolton to Benjamin W. Crowninshield, May 19, 1816 in Miscellaneous Letters Received by the Secretary of the Navy, 1801–84, RG 45, microfilm 124, roll 76, National Archives. *Washington Evening Star,* August 22, 1877.

40. Letters sent by the Secretary of the Navy, microfilm 149, National Archives; *National Intelligencer,* May 31, 1816; *Washington* Logbook, April 27, 1816.

41. *Washington* Logbook, May 8, 1816; Belt Journal, May 8, 1816; *Boston Gazette,* May 9, 1816, reprinted in the *Baltimore American and Commercial Daily Advertiser,* May 16, 1816; *Alexandria Gazette,* May 16, 1816; *Frederick-Town Herald,* May 18, 1816, and mentioned in the *Boston Weekly Messenger,* May 9, 1816. A report in the *New York Herald,* May 15, 1816, described the *Washington* as having "left President's Road, yesterday morning, and [having] cleared the Light with great rapidity of sailing."

42. *Washington* Logbook, May 12–13, 1816.

43. *New York Herald,* May 22, 1816.

44. A group of ship masters and mates demonstrated the procedure and "were all done to the life"—typical activity using a forty-foot model frigate, the *Union,* on the Fourth of July in 1828. *Maryland Journal and True American,* July 16, 1828.

45. Ships that entered the Severn River and dropped anchor at Annapolis, just off Horn Point across from Fort Madison, would have had only nineteen feet of water for draft. "The Harbor of Annapolis," 1846, by A. D. Bache, Superintendent of the Survey of the Coast of the U.S., in MdHR G 142711, Maryland State Archives.

Newspaper reports corroborate her placement at Annapolis Roads, "lying a few miles off that city." See *Baltimore American and Commercial Daily Advertiser* and *Fredericksburg Virginia Herald,* May 22 and June 1, 1816, respectively.

46. Letters received by the Secretary of the Navy. Reports of the ship's arrival in Annapolis were printed in *Maryland Republican,* May 18, 1816, *National Intelligencer,* May 20, 1816, *Republican Star* (Easton), May 21, 1816, *New York Herald* and the *Fredericksburg Virginia Herald,* May 22, 1816, *Charleston Courier,* May 25, 1816 (as reprinted from the Baltimore *Patriot,* May 17, 1816), and *Plattsburgh Republican* (N.Y.), June 1, 1816, 3. *Washington* Logbook, May 15–16, 1816. "Remarks and occurrences," May 17, 1816.

47. Commodore Wm. Bainbridge to Secretary of the Navy, B. W. Crowninshield, May 19, 1816, in Letters Received by the Secretary of the Navy from Captains (Captain's Letters), 1805–61, RG 45, microfilm 125, roll 49 (letter 12), National Archives. *National Intelligencer,* May 22, 1816.

48. *Baltimore American and Commercial Daily Advertiser,* May 18, 20, and 30, 1816. One additional trip scheduled for May 25 at a passage price of two dollars was canceled on that day due to "the Engineer of the Steam Boat Eagle, being suddenly taken sick, and the weather being boisterious." *Baltimore American and Commercial Daily Advertiser,* May 22–24, 25, and 28–31, and June 4, 1816.

49. *Baltimore American and Commercial Daily Advertiser* and *Fredericksburg Virginia Herald,* May 21 and 29, 1816. According to the "U.S. Ship Washington. 1820" outfits logbook, there were ninety mess tables on the ship.

50. *Maryland Republican,* May 25, 1816; *Republican Star,* May 28, 1816; and *New York Herald,* May 29, 1816. *Washington* Logbook, May 20, 1816. On June 2, Rodgers and Porter were back in Washington where they, together with the "Secretary of the Board, and proper Surveyors and Draftsmen," boarded "the United States schooner Nonsuch and proceeded down

the Potomac into the Chesapeake Bay. The object of this party is to make a minute survey of the entrance into the Bay, with a view of estimating the possibility and cost of defending it by batteries, erected on the middle ground and on corresponding points." *Baltimore American and Commercial Daily Advertiser*, June 5, 1816.

51. "Baltimore, May 20," *Frederick-Town Herald*, May 25, 1816; *Boston Daily Advertiser*, May 27, 1816; *Boston Weekly Messenger*, May 30, 1816; *Maryland Gazette*, May 23, 1816. Caton's Hotel, William Caton proprietor, was also known as the City Hotel and had a long distinguished history. See Riley, *"The Ancient City,"* 224, 305–6.

52. Testimony by F. Gilldorff in Senate Records 36A-E1, National Archives. One would expect a preference for a military band at a presidential review, but according to Madison himself his visit to the *Washington* was not an official function.

53. These works were cited as being presented three weeks later for a Fourth of July celebration in Annapolis by the Carusi band, and one may reasonably assume that at least some of them may have been performed earlier on the *Washington*. *Maryland Republican*, July 6, 1816. "Madison's March," originally for piano (printed and sold at Carr's music store, Baltimore [1809?]) was first played for the president on his inauguration in Washington, March 4, 1809. The composer, "P. Mauro," was possibly Philip Mauro, a pianist, who was active in Washington in 1805 as an instrumentalist and concert manager and in Baltimore in 1811, advertising himself as a "Professor of Music." Heintze, "Gaetano Carusi: From Sicily to the Halls of Congress," 104–5, 127–28, n142. See also Richard J. Wolfe, *Secular Music in America, 1801–1825: A Bibliography*, 3 vols. (New York: New York Public Library, 1964), 2:549.

54. In the spring of 1806, Carusi had come to then Secretary of State Madison's house in order to ask him to help resolve his controversy with the Marine Corps. Carusi, *Narrative*, 7–8; *Maryland Republican*, May 25, 1816; "Autobiography of Commodore George Nicholas Hollins, C.S.A.," *Maryland Historical Magazine*, 34 (1939): 234–35; Brant, *James Madison*, 406–7; *Washington* Logbook, May 21, 1816. The logbook also reported that at 5 P.M. the winds began blowing out of the Southeast with a light rain.

55. Reprinted from the *Baltimore Federal Gazette*, May 27, 1816, in the *Charleston Courier*, June 6, 1816. That the president was "much pleased with the general appearance of the Washington" was reported also in the *Maryland Republican*, May 25, 1816, and reprinted in the *Republican Star*, May 28, 1816. Madison returned to Washington, staying there until June 5, when he left for Montpelier, where he was expected to remain during the summer months. *Republican Star*, June 11, 1816.

56. *Maryland Gazette*, May 23, 1816; *Maryland Republican*, May 25, 1816, and reprinted in *Republican Star*, May 28, 1816. General Scott had arrived from his "European tour" the previous week in Baltimore on the ship U.S.S. *Franklin* (another 74-classed ship-of-the line) and went to Washington, D.C., before traveling to Annapolis. See *Alexandria Herald* and *Fredericksburg Virginia Herald*, May 15 and 18, 1816.

57. *Washington* Logbook, May 29, 1816.

58. Carusi, *Narrative*, 14.

59. *Register of Officer Personnel, United States Navy and Marine Corps and Ships' Data, 1801–1807* (Washington, D.C.: U.S. Government Printing Office, 1945), 13. *Naval Documents Related to the United States Wars with the Barbary Powers*, 6 vols. (Washington, D.C.: U.S. Government Printing Office, 1944), 6:541–42. Carusi, *Narrative*, 10–11. For information on Carusi's presence on the *Chesapeake*, see Heintze, "Gaetano Carusi," 89–92.

60. Carusi, *Narrative*, 14–15.

61. Crew of the *Washington* to Secretary of the Navy Crowninshield, June 5, 1816, in Miscellaneous Letters, RG 45, microfilm 124, roll 76, National Archives. Naval regulations permitted twelve lashes for any single offense, therefore fifty lashes for this incident was apparently excessive.
62. Carusi, *Narrative,* 15.
63. Testimony of Giuseppe Sardo, 1843, and F. Gilldorff, Senate Records 36A-E1, and certificate of T. Downey, Senate Records 36A-E1, National Archives.
64. Paul Hamilton, in a letter to John Rodgers, expressed his disapproval of the conduct of then Lt. John O. Creighton for beating some seamen. Hamilton to Rodgers, December 31, 1810, New York Historical Society.

The *Washington* Logbook reported on August 26, 1816 that Creighton had been "this day arrested on charges exhibited against him by Midshipman John Marston Jn. At Meridian a court martial ordered for his trial convened on board of the Constellation.... On 29 August, it was reported that Captain Creighton had been honorably acquited."
65. Carusi, *Narrative,* 15; *Baltimore American and Commercial Daily Advertiser,* June 4, 1816. Carusi was in Annapolis during the following month and gave at least three concerts: June17 and July 4 and 8. See *Maryland Republican,* June 15 and July 6, 1816.
66. *Washington* Logbook, "Remarks and Occurrences," May 27–June 1, 1816.
67. Navy Dept. to Com. Isaac Chauncey, U.S. ship Washington, Annapolis, Md., May 15, 1816, Letters Sent by the Secretary of the Navy to Officers, 1798–1868, RG 45, microfilm 149, roll 12 (Jan. 3, 1815–April 30, 1817), 322, National Archives. Comments regarding Pinkney's mission to Naples at a reported $5000 per day expenses are in the *Maryland Gazette,* June 13, 1816.
68. *Washington* Logbook, June 6, 1816.
69. *Maryland Republican,* June 8, 1816, reprinted in *Baltimore American and Commercial Daily Advertiser,* June 10, 1816, *National Intelligencer,* June 10, 1816, *Republican Star,* June 11, 1816, and the *Fredericksburg Virginia Herald,* June 12, 1816. News of the ship's departure from Annapolis was also printed in the *American Advocate and Kennebec Advertiser,* June 8, 1816, *Charleston Courier,* June 10, 1816, *Alexandria Gazette,* June 12, 1816, *New York Herald,* June 12, 1816, *Maryland Gazette,* June 13, 1816, *Frederick-Town Herald,* June 15, 1816, and *Portsmouth Oracle,* June 15, 1816.
70. *Fredericksburg Virginia Herald,* June 1, 1816, *Republican Star,* June 4, 1816, and *Boston Gazette,* June 6, 1816. In an editorial published in the *Maryland Gazette,* May 30, 1816, at least one person was not pleased with the *Washington* and what she represented: "The pomp is passing before our eyes as the costly equipment is flaunting in our harbour.... What, it may be said, have we to do with the King of Naples, that they should be sending a 74-gun ship and a minister and suite thither?"
71. Secretary Crowninshield instructed Chauncey that "you will ... visit Algiers and give them an opportunity of seeing & knowing the force of construction of your ship." Crowninshield to Chauncey, February 19, 1816, Letters Received from the Secretary of the Navy, 274, National Archives.
72. *Dictionary of American Naval Fighting Ships,* 8:124.
73. Ibid.
74. *New-York Evening Post,* July 6, 1818, and *Mercantile Advertiser,* July 6–8, 1818. *Dictionary of American Naval Fighting Ships,* 8:124.
75. *Frankfort (Kentucky) Commentator,* June 22, 1820, 3. The *Washington* was described as "dismantled." *New-York Daily Advertiser,* May 30–31, 1820. *Dictionary of American Naval*

Fighting Ships, 8:124. For a list of men and officers serving on the *Washington* while she was in ordinary, see *A Register of Officers and Agents, Civil, Military, and Naval, in the Service of the United States* (Washington, D.C.: Davis & Force, 1824).

76. Fortune would bring Chauncey and Carusi together one last time. Chauncey died on January 27, 1840, and Carusi on June 17, 1843. Both are buried in Congressional Cemetery. Heintze, "Gaetano Carusi," 130, n.185 and *National Intelligencer*, January 28–30, 1840.

77. It is a testimony to the men of the *Washington* that only one midshipman decided to jump ship at the time of Creighton's acts. According to the logbook, James Jones was reported "missing from the ship" on June 5, 1816.

Portfolio

Jacob Glushakow

JAMES D. DILTS

> *Reality is only one side of his art, feeling completes it. He makes you feel the potentialities of the commonplace.*
>
> — Alton Parker Balder,
> *Six Maryland Artists: A Study in Drawing*

A scene in the 1973 film *The Cat* brings to mind the art of Jacob Glushakow. Based on the Georges Simenon novel of the same name, the film concerns an older couple whose marriage has disintegrated. They live without speaking in a house with the blinds drawn.

Outside, the incessant din of construction equipment reminds them that their surroundings have deteriorated as well. The Paris district in which they live, with its close-grained mixture of small houses and shops, is gradually being replaced with concrete lanes for speeding vehicles, apartment buildings, and huge stores filled with generic products. In a powerful flashback, a window is thrown open to reveal the neighborhood as it appeared when they began married life in happier circumstances. The street is lined with trees, residences are beautifully kept, a child rides a bicycle.

Jacob Glushakow opens a window on the Baltimore of the past, but what he sees is not always beautiful and never sentimental. His scenes often show a city in a constant state of demolition and renewal, but he has a clear preference for the before rather than the after. The aesthetic pleasures of his art are self-evident; his drawings and paintings have additional value as social, architectural, urban, and historical documents.

Glushakow, eighty-four and still working, is of Russian Jewish descent. He was born aboard the German ship *Brandenburg* en route to Philadelphia and grew up in East Baltimore in the vicinity of Baltimore and Bond streets, where his parents had a succession of grocery stores. "They all flopped," he recalls. His mother ran the stores while his father, an organizer for the International Ladies' Garment Workers' Union, wrote stories and plays in Yiddish and published a Yiddish-English newspaper which printed some of Jacob's cartoons, his earliest efforts.

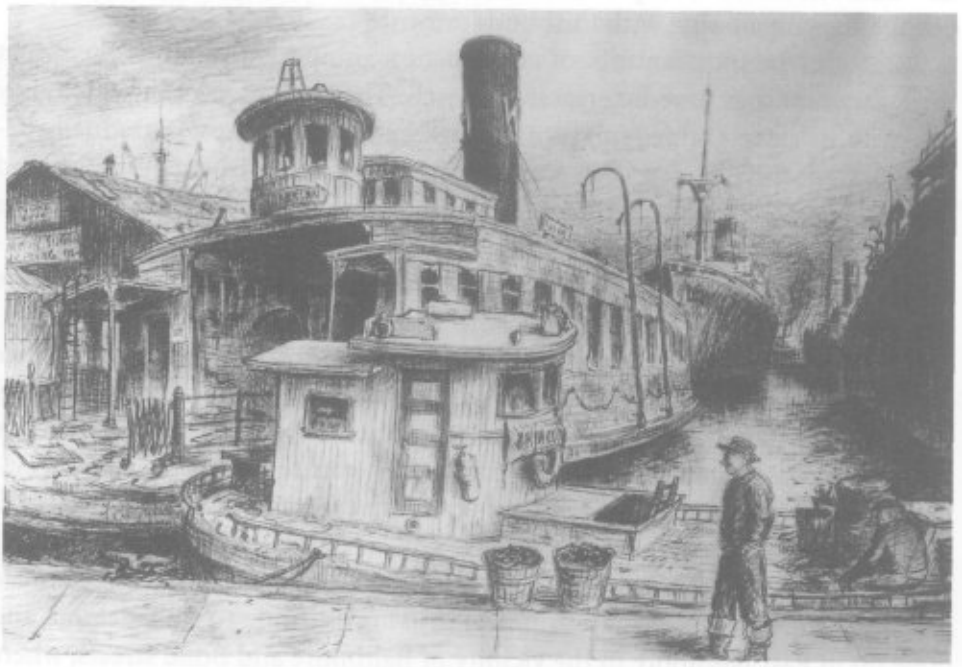
The oldest of several children, Jacob graduated from City College in 1933,

Baltimore author James D. Dilts's definitive study of the early B&O Railroad, The Great Road, *was published by Stanford University Press in 1996.*

studied art at the Maryland Institute and the Jewish Educational Alliance, and continued his training in New York at the Art Students League. After that, he says, "I had some portraits to do in those meager days, then World War II came along and gave me a steady job." Glushakow served in the Air Force in Arizona and England, working for a time in the briefing room of a fighter group, and making drawings of aircraft.

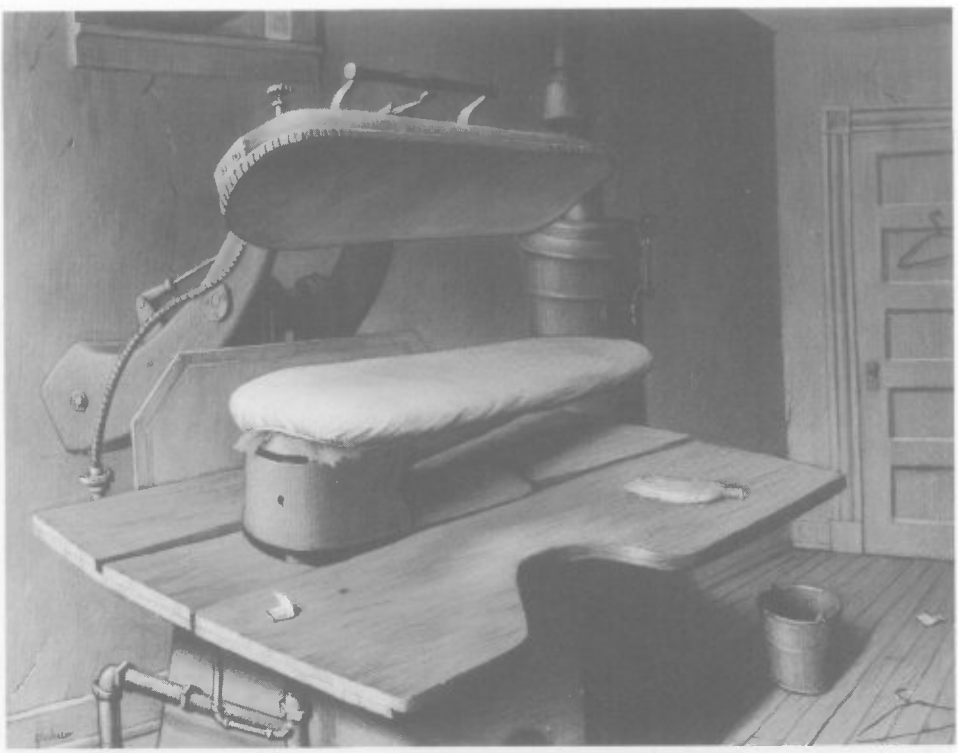
Following the war, he studied art in France and Italy, then returned to Baltimore to make a living painting portraits and teaching art at the Jewish Community Center. (He recently retired from teaching.) In 1993, the Jewish Historical Society of Maryland mounted a major exhibit of Glushakow's art. Beginning in October 1999, the Groh Gallery of the Washington County Museum of Fine Arts in Hagerstown will host a one-man show of his drawings and paintings.

The Baltimore that Jacob Glushakow drew and painted no longer exists. Yet it does, evocatively and indelibly, in his work. Here is a sample along with some comments from the artist.



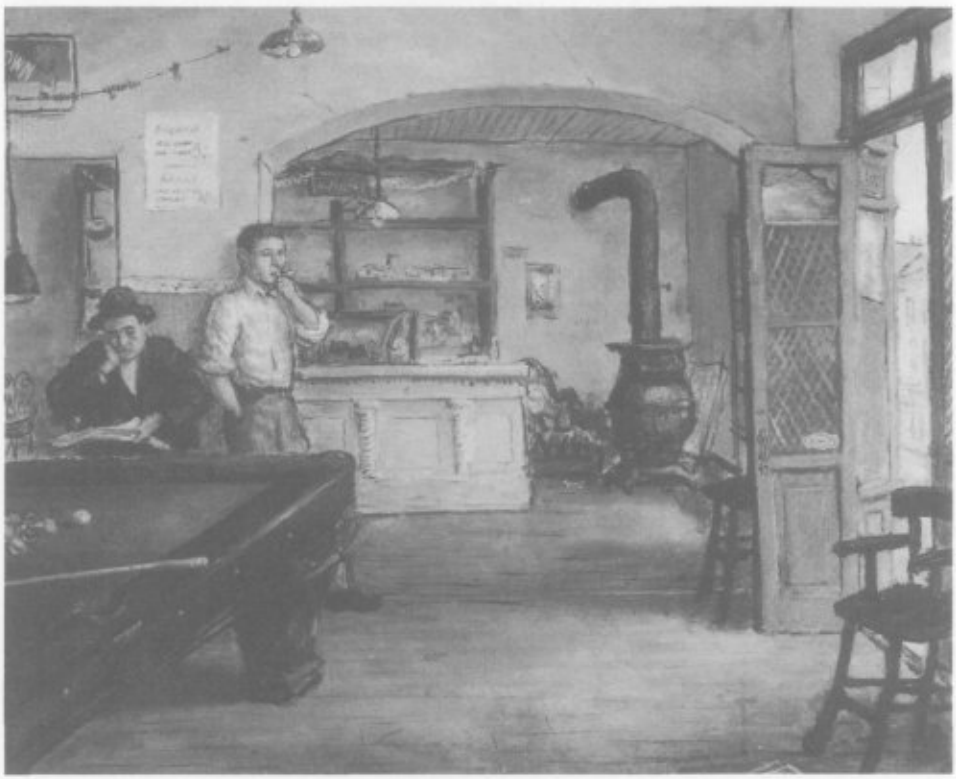
Pier 5, Pratt St., Oyster Boat, Ruined Ferry, 1949

Quotidian decline meets permanent decay: Market Place and Pratt Street. The mise-en-scene changed gradually here, but the listing ferry, the oceangoing ships, Connolly's Restaurant—a favorite of William Donald Schaefer when he was Baltimore's mayor—and the oyster boat all disappeared. (The boat, or one like it, sank, was re-floated, sank again, and never resurfaced.) It took the oysters with it, prehistoric monsters seven inches long, real Chincoteagues redolent of the sea.



Pressing Machine, n.d.

"The ironing board was in a tailor shop in West Baltimore not far from Perkins Square. The tailor had died and left everything there. Every block had two barbershops, a tailor, a bakery—that's all evaporated. I used to walk around the city sketching things. I was either foolish or had no fears. My father worked in the garment district. He was a presser and I used to go up to work and see him. I was struck by the grotesque machinery. It looks like something you execute people on."



Pool Room, 1939

"It was smack in the heart of East Baltimore, more than a pool room—a hangout. It was sort of fun to sit there. There were card games, gambling on the pool table, guys drifting around with not much to do. At eleven to twelve at night, they would come in bragging of their amorous exploits. It was an education. Despite the stories of their conquests, there were no women."

Bond Street, 1956

"This was the first block of North Bond Street. It's a small picture. I finally sold it a couple of months ago and got the most glowing letter [from the buyer]. He really appreciates it. What he gets out of the picture was what I hoped was in it."

Lombard Street Produce, n.d.

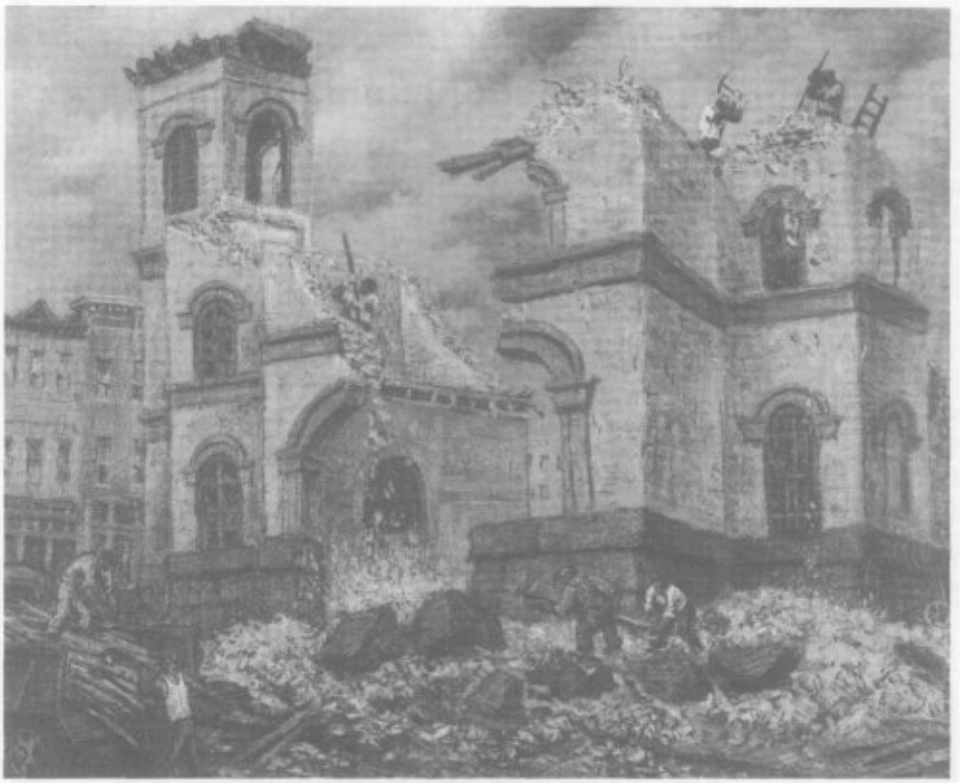
"The 1000 block of East Lombard Street had vegetable and chicken stores, also several bakeries where you could buy crusty kaiser rolls. It existed up until the 1960s. Lombard Street was something, better than a supermarket. It even had a bathhouse. You could get all your needs satisfied."

Slum Clearance, 1941

"This was Fayette Street looking east toward Broadway. They widened the street. This was one of the first big clearance projects, not too far from where I lived, near the Johns Hopkins Hospital."

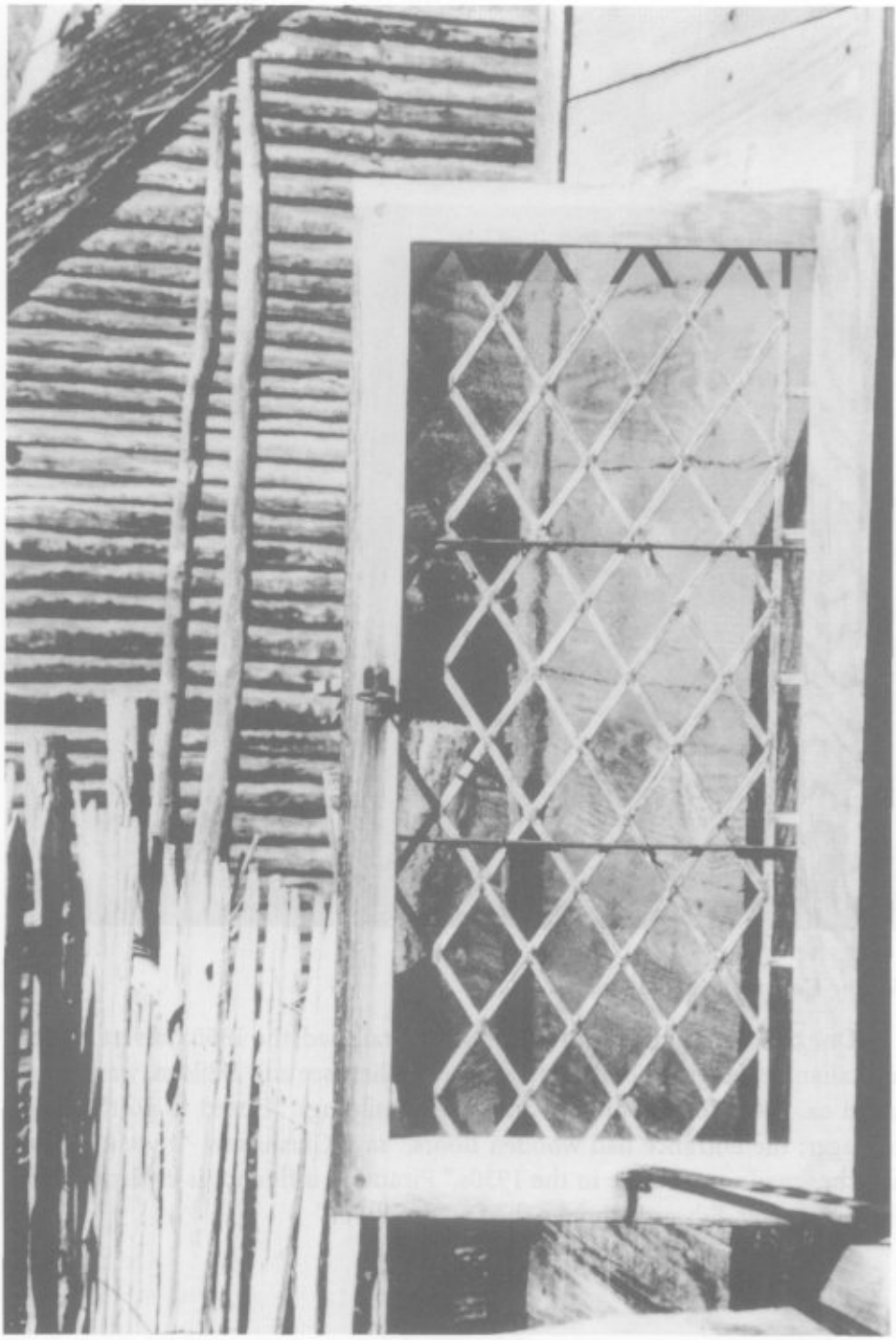
Double Doorways, 1965

"These were on Druid Hill Avenue near Dolphin and McCulloh Streets. I used to sit in my car and sketch, otherwise I would be pestered with kibitzers. Recently I was over in Franklin Square sketching and a guy with glazed eyes came up to the car and asked me what I was doing. Nowadays it seems to make people nervous."



Razing Calvert Street Station, n.d.

One of the monuments of the American railroad, the 1850 Calvert Station, an Italianate design by Baltimore architects Niernsee and Neilson, was demolished ca. 1946 (for the present Sunpapers building). "I used to go there as a teenager; the entrance had wooden floors," says Glushakow. "I worked from sketches made on the site in the 1930s." Piranesi's influence is evident. "I also liked Daumier, Edward Hopper, the Dutch School."



The people who settled in seventeenth-century Providence brought with them European ideas of wealth, which they attempted to pass on to their heirs. (Maryland State Archives.)

Providence: A Case Study in Probate Manipulation, 1670–79

KARINA PAAPE

Among the difficulties facing early Colonial settlers of the Chesapeake region were illness and disease. The seventeenth-century settlers of Providence, the first European settlement in Anne Arundel County, Maryland, were not immune to such travails. In the 1670s alone thirty of the eighty-two founding settlers of Providence[1] died, or nearly 40 percent of first arrivals. The population reduction of such a large percentage of its pioneer generation was by no means unique to Providence, or to many other of colonial America's New World settlements. Rather, Providence's uniqueness lay in its record-keeping, and the sophisticated manipulation by this group of what was then a newly instituted probate process. These manipulations successfully masked the extent of the original settlers' material success for more than three hundred years, thus undermining the findings of an existing body of inventory analysis.[2]

In theory, probate should have been an orderly process stemming from a last will and testament and concluding with an account of administration. The intervening months or years were spent inventorying and appraising the estate, collecting and paying debts, and disbursing legacies. Archaeological excavations and an intensive examination of court records indicate, however, that estate administrators were deliberately undervaluing estates—by omission of valuable property and by low appraisals—in the second half of the seventeenth century. Moreover, during the 1670s very few estates saw the probate process through to the account phase, thus leaving room for manipulation of an estate by clever administrators who may, in fact, have been carrying out the decedent's last wishes.

Such wishes would have been an open secret in a close-knit community of the seventeenth century like Providence, where neighbors were typically appointed estate appraisers. It is not unreasonable to suggest that a man who knew he was dying would, besides writing his will, ask a neighbor to undervalue his estate to protect his wife and children from creditors. Another motive could have been to protect an estate from claims by less successful relatives hoping to profit from the decedent's labors.

An example of the former was the estate of Nathaniel Stinchcomb, whose death in November 1673 was closely followed by that of his wife Thomasin. In filing an account of administration for the Providence couple, latent creditor

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Dr. Henry Lewis observed the poor condition of widow Thomasin after the other creditors had been satisfied. "[H]e dyed before I could obtain a judgment . . . but when he was dead I went to see in what condition the goods were . . . I saw his wife had no bed to lye on and besides it and the rest of the goods ws not worth the fetching anyway."[3] The prescient testator would surely want to protect his heirs from such destitution by enlisting the help of potential appraisers.

Further threatening the integrity of the process was the fact that certain events could impede the orderly dispersal of a decedent's wealth. What happened, for instance, if the executor named by the decedent refused the job? Or if the prerogative court declared a will void by virtue of the decedent's state-of-mind, nullifying the executorship? Moreover, did orphans and widows really end up getting their due legacies? Finally, could an adult child named executor be held legally responsible for the alleged financial manipulations of the deceased father?

Just as important to consider as the aforesaid scenarios are the effects that inaccurate recording, mathematical errors, and debts receivable had on the total value of an estate. Also, appraisers were occasionally known to consume alcohol while conducting inventories. Given that two men might consume three gallons of brandy over the two days the average inventory and appraisal required, dare we trust the inventory totals compiled by possibly inebriated appraisers?[4] Moreover, the collectability of debts receivable listed in inventories has never been questioned. But did the estate administrator, in fact, collect such debts? Large-scale inventory analysis answers none of these questions.

This study instead focuses on a group of decedents from one or more Maryland counties. The inventories are transcribed and coded into categories of analytic interest, such as financial assets, consumption goods, and capital goods (including bound labor), and divided into wealth cohorts. This categorization summarizes the average proportion of family wealth allocated to non-income-producing goods and the composition of the income producing durables.[5]

By studying large numbers of decedents over broad expanses of time, say a hundred years, scholars have used inventory analysis to show changes in consumption, adding depth and texture to an otherwise colorless canvas. My approach is substantially different, yet compliments the macrohistorical findings so rigorously achieved by other scholars of the Chesapeake. Rather than studying thousands of the faceless deceased of the seventeenth century, I focus on a very small group of neighbors whose deaths may be more illuminating than their lives.

The following narrative focuses on the thirty pioneer settlers of Providence whose estates were probated in the 1670s.[6] What emerges is far less order than standard inventory analysis suggests. Though in life they appear to have been models of simplicity, after death we discover sophisticated manipulations of the

probate process and tangled webs of financial complexity which highlight the possibilities of the founders' world far better than inventory analysis alone. And ultimately we come to understand that these very possibilities, coupled with a Calvinist belief in predestination, compelled the Providence founders to choose the frontier of the Chesapeake as the place to run their errand into the wilderness.

Providence

To answer the questions posited above it is important to understand the physical and spiritual setting of Providence. The geographic heart of the community was Broadneck Hundred, bordered on the south by the Severn River, on the north by the Magothy River, and on the east by Chesapeake Bay. Virtually every man was a tobacco farmer and tobacco was the principal medium of exchange. Debts were taken seriously and the man who could not pay his bills and accounts was well advised to flee to avoid arrest.

We know nothing of the Providence inhabitants' religious life except that they chose to leave Virginia in the late 1640s rather than conform to the Church of England. Once they had settled along the shores of the upper Chesapeake Bay, at the invitation of Lord Baltimore, they erected a "meetinghouse" on the north side of the Severn River. The Mosaic figure who led the Virginia radicals up the Chesapeake Bay to Providence, in 1649, was lay preacher William Durand,[7] who met the community's need for piety.[8]

By 1648, Durand's disregard for Governor William Berkeley's policies made him the "King's prisoner," as he was described in a Virginia court on November 3, 1648.[9] Transported to Nansemond County, Virginia, in 1635 by Virginia's future governor Richard Bennett, Durand had written to New England Puritan divine John Davenport in 1642 asking that suitable ministers come to Virginia. A tone of urgency filled Durand's request as he described a herd of lost sheep in need of shepherds to return them to the path reserved for the saved. "If ever the Lord had cause to consume the cittyes of Sodom and Gomorrah he might as justly execute his wrath upon Virginia, swoln so great with the poison of sin . . . where is used so much corruption and false worship, and nothing indeed done as it should bee."[10] Durand's urgent tone could have been triggered by the knowledge that the Providence Islanders had failed the year before to complete their errand into the West Indies wilderness.[11]

Of Durand's piety we know only that he kept a notebook of sermons preached by his mentor John Davenport in London in the early 1630s.[12] During that time, Davenport's listeners were typically told to endure their fates, as one sermon by him admonished: "Wee should suffer as puritans . . . hee that will live godly in thought must suffer persecution; & therefore it should bee our wisdome

Broadneck Hundred, the center of Providence, as shown on James Moss's 1649–65 map of Anne Arundel County. (Maryland State Archives, MSA SC 1096.)


BROAD CREEK
CREEK
HOMEWOODS
1663
SCOTLAND

now to prepare for suffering & therefore let us look well to one cause & then bee provided that you may manage it well & if you want wisdom begg it of god."[13]

Whether Durand copied such words into his notebook, and preached them to the non-conformists who settled in Anglican Virginia, may never be known. Similarly, whether Durand's notebook survived his move to Maryland is pure conjecture. If so, then it is as likely as not that Durand repeated one or more of Davenport's numerous sermons in both Nansemond and Providence.[14] We will also never know why Durand did not follow Davenport to Amsterdam in 1633, or to New Haven, Connecticut, in 1648 after Governor Berkeley banished Durand from Virginia. But clearly Durand felt some sense of duty to the Virginia radicals, as his letter of 1642 reminds us: "Our project hath beene long in hand and knowen throughout the whole land of Virginia, and noe man openeth his mouth to hinder or speake agaynst it."[15]

Durand may have selected the name Providence for the group's Maryland settlement. In his letter to John Davenport he claimed that "the lord hath visited mee in this place."[16] Any man who had experienced such a visitation while tending a flock of lost souls would certainly feel that Providence had provided the sanctuary in Maryland so long prayed for. In celebration, he and his fellow nonconformists would name their new home Providence.[17] In 1685, Lord Baltimore's Catholic proprietary government renamed Providence "Anne Arundell Town," the founders' celebration of divine purpose apparently forgotten.[18]

The most prominent demonstration of the Providence settlers' radical impulses was manifested on March 25, 1655. On that day a bloody one-day civil war was fought between the Providence radicals and a larger force fielded by Governor William Stone. The Providence Puritans defeated Lord Baltimore's representatives and took full control of the province's government. One sees in this battle the millennialism that stood at the core of radical Protestantism as solidly as did the doctrine of predestination. The millennial predictions of such seventeenth-century savants as John Cotton transformed what originally was a political argument into the final conflict with the Antichrist.[19]

Limitations of Probate Records

To assess the agricultural and mercantile prowess of the Providence settlers is not a straightforward exercise since one must resolve problems such as the decedent's date of arrival and his stage of life at death. My decision to focus on one cohort of Providence settlers sidesteps these problems. Thus, the subject cohort consists of those who arrived during the settlement's founding years, 1649 to 1652, and those who died between 1670 and 1679, generating some type of probate record, either a will, an inventory, an account of administration, or some combination of these records. Thirty householders meet these criteria and

generated one or more of these record types; seven had all three. We cannot assume, however, that only thirty founders died in the 1670s; only that thirty of those who died were immortalized via probate records.[20] For example, it was not unheard of for a testator to request that his estate not be put through probate. John Homewood instructed his executor to inventory but not appraise his estate, instructions honored by his executor and widow Sarah Homewood.[21] If Homewood had not left a will we would never have known he died in Maryland in the 1670s.

Another problem is that a number of testators had wealth in Virginia and England which should be added to their Maryland holdings to best construct a true picture of their total wealth at death. For example, Philip Thomas also possessed wealth in England, which he bequeathed to his wife: "I give and bequeath unto my wife afd. the rents and revenues of two houses that I have in Bristoll during her naturall life." Because Thomas's Maryland estate was not inventoried, we have no accurate means of determining its value.[22] When John Crouch wrote his will in April 1676, he stated that "what land is due to mee at home in Virginia or any other place in the whole world I give and bequeath to my said wife for paying my debts."[23]

I have avoided making too many generalizations based on inventories because the sample is extremely small and thus presents too many exceptions to general rules of inventory analysis.[24] In Henry Cateline's case, for example, his 1670 inventory included debts receivable of 56,417 pounds of tobacco (lbt).[25] The total value of his inventoried wealth, including the aforesaid debts receivable, was 63,804 lbt. This means that if none of Cateline's creditors paid his estate, the total value was a mere 7,387 lbt. Taking the 63,804 lbt. figure as Cateline's total estate value is to risk overvaluing his estate by 88 percent! The only way to determine the net worth of an estate is through an account of administration as explained below.

Debts receivable, expressed as a percentage of total estate value, ranged from 3 to 88 percent (the median is 19.6 percent). Without knowing what percentage of these were collected, these settlers' labor and livestock holdings come out to be much lower than the other men in their respective wealth groups. Obviously, such occurrences dilute the medians, thus clouding analytic accuracy. Moreover, since only a quarter of the group included accounts of administration, it is very difficult to measure the net holdings of everyone. Overall, then, it is extremely difficult to assess the success/failure rate of these early settlers from inventories alone. The grand total of a given decedent's inventory should not be taken as absolute representation of his or her worth at death. The investigation is helped considerably when the settlers' material world has been uncovered by twentieth-century archaeologists, and when any of an estate's debts and disputes are recounted in court records.

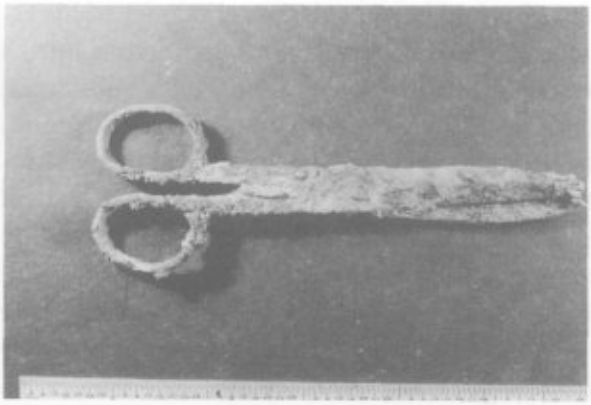
The final document in the probate series, the account of administration, is the scarcest, with the Providence cohort yielding only seven. Since the oath of administration administered to the executors and executrixes included a sworn promise to produce "a true and perfect acc't within twelve months . . . if thereunto lawfully called," it is interesting that so few were called for examination and recordation. Why didn't more estate probates include an account of administration? Not one of the five wealthiest estates in this cohort included an account of administration. Is there a pattern to estates with accounts and those without?

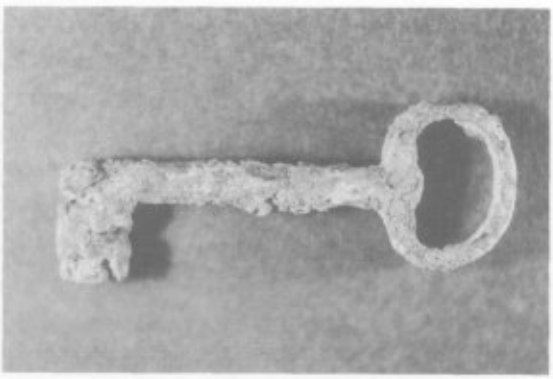
In examining the seven extant accounts it appears that those estates most likely to generate an account were those of heavily indebted testators, and those who were providing substantial legacies to orphans. The account of planter/merchant John Meeres is one which seems to have been generated out of a need to protect his only child's interest, a minor named Sarah who was roughly eleven years old at the time of her father's death. It is likely the account was tabulated and recorded when Sarah had turned sixteen, thereby securing her orphan's legacy.

The Meeres account also offers a good lesson in not assuming that the bottom line of an inventory is an accurate measure of total wealth. In 1675, Meeres's estate was appraised for 62,506 lbt., but from the account filed upon Sarah's sixteenth birthday, in 1679, the estate was valued at some 74,000 lbt. by virtue of collected debts. Without this document we would have undervalued Meeres's estate by nearly 20 percent.[26] Thus, the most accurate estate values are those found in the rare account of administration. Such accounts detail debts collected and creditors paid and provide a sum which represents the decedent's net worth. The significance of such an accounting is that it provides a more accurate picture of a settler's wealth than is garnered from inventories alone. For the subject cohort, the net worth found in accounts ranged from 7 to 95 percent of the value found in the settlers' respective inventories.

Archival Perception vs. Artifactual Reality

In exploring the complex finances of our subject cohort, we turn our attention to planter and local officeholder Robert Burle, who epitomizes the conflict between a decedent's apparent financial worth in probate records and the reality unearthed by archaeologists. Burle's estate inventory of 1676 reflects a man of moderate wealth and his executor's account of administration portrays a downright destitute estate. Yet, archaeologists, after seven years of digging, have concluded that Burle's home was larger and finer than one would expect to find of a man of such modest means. Moreover, his material world contained unusually fine objects for one ranked so low among his neighbors in terms of wealth. Such objects included Venetian and Prussian glassware, Dutch roof pant-





Burle's inventory included everyday household items but excluded luxury goods like fine glassware, tiles, and Delftware found at the site of his home in Providence. (Maryland State Archives.)

iles, green and red glazed floor tiles, yellow chimney bricks, and decorative delftware tiles.[27] So which version of Robert Burle should we accept as truth, the paper trail or the material wealth discovered some three hundred and fifteen years later?

Burle had been an insignificant figure to historians of the seventeenth-century Chesapeake until his world was rediscovered by archaeologists in 1991. The discovery of seventeenth-century artifacts in a farmer's field ultimately spawned the *Lost Towns of Anne Arundel Project* and the systematic archaeological search for early colonial town sites in Anne Arundel County, Maryland.[28] Although nothing is known of his life in Virginia, Burle's twenty-seven years in Maryland found him engaged as a planter, an attorney, a justice of the peace, and even as a surveyor and keeper of the community's land records. But based on a comparison of his estate inventory and accounts with those of his neighbors, Burle was either down and out when he died, or that was the impression he wanted his probate records to project.

Of the cohort's thirty known decedents, Burle ranked twenty-first in terms

of wealth. After his considerable debts had been paid, the remainder of his estate was valued at a little over one thousand pounds of tobacco. From Burle's last will and testament, however, we learn that he married into a substantial English family; his wife's grandfather had been a "sealmaster" at the goldsmith's guild in London. In addition, from Burle's will we learn he wished to have certain valuable personal property excluded from the appraisal of his Maryland estate.[29] So was Burle destitute when he died, or was he an artful dodger whose status in the community allowed him to hide his wealth from creditors?

The construction materials unearthed at Burle's home site indicate a home of more elegant construction than most of that time, yet the estate inventory describes Burle's household furnishings as "old" or "very old." The tablecloths were old, as were beds, sheets, and pillows, and the pots in which they cooked and the earthenware from which they ate. The newest items in the Burle household were two axes, highlighting the importance of tobacco farming and of stockpiling firewood.[30] There is no mention in the inventory, however, of the very fine items possessed by the Burle family and unearthed three centuries later by archaeologists. Was this a deliberate oversight on the part of the appraisers Ralph and William Hawkins, whose plantation neighbored Burle's?

That the artifact assemblage mentioned above is from the Burle household is, of course, not an absolute certainty. Based on land record research, however, the site's first officially recorded possessor was Robert Burle. Moreover, the artifacts thus far unearthed clearly date from the third quarter of the seventeenth century, a time that neatly coincides with Burle's legal tenure at the site. It is possible, but unlikely, that another settler briefly occupied and abandoned the site, leaving behind the high quality ceramics and construction materials. It is also possible that such material wealth came from an adjoining property owner in exchange for services rendered by Burle. But based on the totality of archival and archaeological evidence, our best guess is that these artifacts are, in fact, from the household of Robert Burle.

One could reconcile the discrepancy between Burle's seventeenth-century probate records and his signs of material wealth found in the twentieth century by arguing that at one time in his New World home Burle was, in fact, quite well-to-do. The aging Burle may have subsequently encountered financial difficulties in a flooded tobacco market during the late 1660s and early 1670s from which he never fully recovered.

Another possible explanation is that in 1673, when Burle and Thomas Marsh were named co-executors for neighbor Ralph Williams, Burle may have mingled some of Williams's assets with his own as a means of temporarily weathering the market's saturation. Williams, a Bristol merchant, and Burle were across-the-creek neighbors. Archaeologists have excavated both sites and found similar yellow bricks and Dutch tiles on both. Either Burle purchased these from

Williams, or he received them in exchange for some type of services. Or both Burle and Williams purchased the materials from the same supplier.

Burle named the oldest of his children, Stephen, executor in his last will and testament. Stephen subsequently was arrested after Thomas Marsh filed suit against the estate for failing to produce papers dealing with the estate of Ralph Williams. In May, two months before the appraisal of Robert Burle's estate, Marsh sought the court's help in completing the administration of Williams's estate. From the court record, we learn the following:

> Came Thomas Marsh of Kent County gentl the sole surviving executor of the last will and testament of Ralph Williams . . . and shewed the Judge here that Robertt Burle, who was joint executor . . . died before accomplishment of the sd. Adion as also he further shewed, that after his decease he demanded the papers and other concerns of the sd. Ralph Williams . . . and that they refused the same to deliver, and further shewed that there are severall goods of the sd Ralph Williams undisposed by the said Burle deceased.[31]

From the records it would appear that Marsh got what he wanted and was able to complete the administration of Williams's estate: in September 1676 he recorded an account "on the booke of invent & accts."[32]

Stephen Burle also went about the business of administering his father's estate. On October 6, 1677, he filed an account of administration in an effort to get letters of discharge acknowledging the satisfaction of all debts owed by the estate. The account revealed that the five surviving children of Robert Burle would share 3,252 lbt., or 21 percent of the originally inventoried estate. Stephen paid out 12,632 lbt. for debts and estate administration fees, including 800 lbt. for "defending the said estate against the force and injury of Mr. Thomas Marsh."[33]

For reasons unknown, twelve months later Stephen Burle filed a second account with the probate court which shows the orphans' share of the estate was reduced further, amounting to only 1,103 lbt., or a dismal 7 percent of the inventoried estate value. Such apparently low net worth was not much of a legacy for five heirs to share. In his second account, dated October 11, 1678, Stephen claimed allowance for an additional 2,149 lbt. in estate debts. He claimed expenses of 870 lbt. for his arrest and time lost responding to Marsh's suit, citing "lose of time being arrested & summoned to three of the County Courts being 3 days each court – 9 days." There was also an ambiguous charge of 300 lbt. for "three barrells of corne sold to my father in his life time,"[34] ambiguous because it does not indicate who sold the barrells of corn.

But the matter between Stephen Burle and Thomas Marsh seems never to have been resolved. And we never learn whether the elder Burle did, in fact, have

any of Williams's property. Over the course of a two-year period, from 1677 through 1679, Marsh and Stephen Burle counter-sued one another at least half a dozen times. The issue of contention is unknown since the suit never went to trial. The case of "Thomas Marsh agt Stephen Burle exr Robt Burle" was postponed eight times until the action finally "abates the plt being dead."[35] Similarly, the case of "Stephen Burle Exr Robert Burle agt Tho Marsh" was continued until the next court six times until the record shows that "this action abates, the Deft being dead."[36] In sum, it seemed like a lot of litigious maneuvering for an estate of seemingly so little value. Fortunately, the archaeologists' trowels have exposed wealth which Burle and several other decedents expected to protect from potential claimants to ensure their survivors' survival.

Prescient Testators

So ripe for dispute was the probate process that some testators included a provision in their last will and testament aimed specifically at arbitrating and settling disputes over the estate. For example, Thomas Marsh insisted that his executors handle his estate "as if it were done in law or I mysselfe were personally present to doe it." In the event any dispute arose, the executors were to appoint "two foure or more as they shall think meete & as ye majority shall agree that to stand . . . and that my aforesaid wife & children stand & abide their judgment and determination as if I mysself were present."[37]

Some testators gave this job to a panel of Quakers. Thomas Meeres's will provided that " . . . in case there should be any difference . . . then I leave to the consideration of the body of friends commonly called Quakers to be decided and ended between them." A similar provision is found in Philip Thomas's will: "In primis I will & desire that if it should so happen that any difference or controversy should arise after my decease between any of my children and wife concerning the promises afd. that then it be brought before and adjudged of by the body of friends comonly called Quakers and what they shall agree upon in that behalfe is by me ratified and allowed to stand in law to all intents and purposes."

Alternatively, a testator might circumvent potential property disputes by taking preventative measures before his death. For instance, Richard Beard expected his sons Richard and John to share all of his lands, and took the following measures, described in his will: "The land which I give unto my two sons is already divided by a line beginning at a marked gum standing upon. . . . to a marked beech . . . said beech is marked RB on the north side of the tree and to the south side of the tree it is marked JB and all the land that is mine of the north side of the line and branch also I give and bequeath unto my son Richard Beard and all the land that is mine of the south side of the line and branch also I give and bequeath unto my son John Beard."[38]

Orphans and Widows

Like Robert Burle, William Durand's estate also seems to have been the target of legal actions as illustrated by entries in an account of administration prepared by his widow Elizabeth. In fact, each of the eight creditors in this account were paid "per order of court." These debts totalled 10,635 lbt. In addition, 1,360 lbt. was expended for "her itinerant chardges for several times going to Anarundel County about the concernmts. of the deceased" and "for her attendance at severall courts."[39] This left Durand's heirs a net sum of 8,778 lbt. to divide, far more than Burle's heirs split but still only 38 percent of his inventoried estate. Clearly, whatever sophistication settlers employed in life to dodge creditors yielded to the judgment of the court upon their deaths. Consequently, their initially healthy estates were considerably reduced. This leads to our next question: Did orphans and widows get their fair shares?

One example may be seen in the case of Anne Arundel County sheriff John Norwood, who died in 1673. His widow Anne married James Boyd, "a young man," who seems to have taken over her duties of executing and administering Norwood's modest estate, valued at 38,042 lbt. Norwood's seven children were to receive two-thirds of this estate, including lands, while Anne was entitled to one-third. But, according to a petition Andrew filed with the Provincial Court in 1673–74, the newlyweds refused to give Andrew his inheritance. Andrew further stated that "the said Boyd and the said Ann by force of Armes Keepes the said Andrew out of the possession of his inheritance and turneth him out of Doores."

As one would expect of a young man, Andrew was "loth to goe to law wth his owne Mother" who was also seated in the courtroom. Consequently, he asked that her thirds be assigned her. This request was granted and the court ordered that county sheriff Henry Stockett, and local officials Mr. Richard Hill and Mr. Robert Burle "doe goe upon the plantation where the Mother of ye petr now liveth . . . and according to their discretion set out unto the relict of the said John & Mother of ye petr her thirds of the land according to its true vallue allotting her an Equall third pt of the howsing Orchard & c."[40]

Upon her own death in November 1674, Anne Boyd's estate was valued at 9,440 lbt., excluding the above mentioned land and housing she was granted. Of this sum, 76.6 percent were debts receivable and another 17 percent was livestock. Anne's personal possessions were modest, comprising only two smoothing irons, a pewter dish, basin, and chamber pot plus her deceased husband's wearing apparel and a parcel of wool. Interestingly, in John Norwood's estate inventory of two years before, items "In Mrs. Norwoods Rooms" are not found in her own estate inventory. The items she possessed as the wife of John Norwood were: "1 feather bed boulster pillow rug blanket payre of sheetes bested

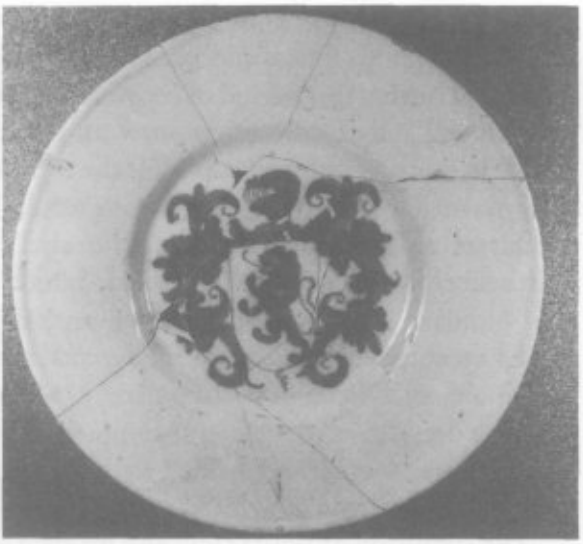
curtaynes & vallance old, 1 table & 4 stooles, 1 old chest trunck & chaire 1 small trunk 1 warming pan & chaffing dish."[41]

One month after Anne's inventory was recorded, widower James Boyd apparently delivered to the probate court 21,751 lbt. of tobacco which was surely the orphans' share of monetary assets, representing only 57.2 percent of his inventoried estate.[42] Yet twelve months later we learn that Andrew Norwood filed a petition with the court, the essence of which was that "the within mentioned orphans refuseth to lett division be made of the estate without a new appraisement."[43] This is the last record of the dispute. We do not know whether the Norwood orphans ever claimed their two-thirds—most likely the previously mentioned 21,751 lbt.—from the court. In contrast, it does not seem that Thomas Todd's heirs entered into any dispute over their share of his estate, 12,239 lbt., or 83 percent of his inventoried wealth.[44]

The same can be said of Sarah Meeres, the only orphan of John Meeres who died in 1675 when Sarah was only eleven years old. Five years later, when Sarah turned sixteen, she would receive a sizable quantity of plate and other personal property as follows: "two of my best feather beds with their furniture . . . all my plate . . . one large tankard one beaker one candle cup with a cover eighteen silver spoons one sack cup plain one sack cup more with three knobs . . . and all the best of my pewter and brass and iron potts two of my best chests one trunck and chest of drawers six paire of good sheets six towells eighteen napkins and two table cloaths . . . with three men servants and one woman servant."

Sarah Meeres's father also bequeathed her land on the north side of the Severn River, a plantation on the cliffs in Calvert County, a parcel of land on the eastern shore of the Chesapeake, and another Calvert County plantation. Adding to this considerable collection of real and personal property, Sarah received the remainder of her father's estate, 32,062 lbt., "to be paid to the orphant for the legacy as in the will mentioned." Since Sarah was nearly five years away from reaching her majority when her father died, someone had to take care of her. The person appointed was Sarah Thomas, the widow of longtime family friend Philip Thomas and the mother of the Thomas brothers, Samuel and Philip who had refused the executorship. The widow Thomas apparently had care for her minor charge, Sarah Meeres, for "4 yeares and seaven mo.," according to John's account. For her trouble, Sarah Thomas received 11,919 lbt.[45]

In sum, perhaps the best protected orphan was the one who was committed to the care of a non-relative, as in the case of Sarah Meeres whose caretaker was subsequently compensated for her care and protection. Where the wife survived her husband and had care of minor children, these orphans' interests could be undermined by the mother's remarriage, as in the case of Andrew Norwood, above. An extreme example of the influence of a new husband on a decedent's estate is that of Nicholas Wyatt below.



This Delftware armorial plate is another example of wealth found at a Providence archaeological site that may not have been recorded in probate records. (Maryland State Archives.)

Family Feuds

Nicholas Wyatt was the wealthiest decedent in Providence's 1670s cohort, possessing an inventoried estate of 154,000 lbt. Within two years of his death in the winter of 1673, both Wyatt's widow and his daughter had married financially savvy husbands. These men subsequently became the chief combatants for an estate upon which there was little agreement. The respective parties questioned not only the validity of the deathbed will and of the value of the estate itself, but also the accuracy of the account of administration and the determination as to which heirs were properly entitled to the real and personal property. Even the quantity of crop produced by Wyatt's two plantations was under dispute.[46]

The debate over Wyatt's estate started in the spring of 1675 and was waged through 1679, a contentious five-year period during which the combatants sparred in both the Provincial and Chancery courts as well as before private arbitrators who were themselves made defendants in the judicial skirmish. Between them, the principal parties, Thomas Bland (husband to Wyatt's widow Damaras) and Edward Dorsey (husband to Wyatt's daughter Sarah), had posted some 400,000 lbt. in bonds pending resolution of the conflict. Although by no means the trial of the century, the suit was probably the talk of the community throughout the 1670s, pitting not only a mother against her daughter and formerly trusted son-in-law, but a bride against her groom.

In December 1671, family patriarch Nicholas Wyatt had apparently fallen gravely ill and, from his supposed deathbed, dictated a brief last will and testa-

ment to neighbor Cornelius Howard.[47] Shortly thereafter Wyatt unexpectedly recovered from his illness and lived nearly two additional years. Court records reveal that during this period of recovered health Howard advised Wyatt to revoke his will and execute a new one with more sensible provisions. Wyatt's response to this suggestion, made while the two were riding together in the woods on horseback, was disbelief that anyone would believe the will made while under duress of illness would be taken seriously: "dost thou thinck that I was in my right sences when I gave my only sonne Samuell a bare plantation and nothing else." Similarly, thirty-year-old Mary Evans's deposition of August 10, 1675 included a recollected conversation between Mrs. Cleggett, a resident of the Wyatt household, and Nicholas Wyatt whereby "Mrs. Clegett asked him, saying what have you done, have you left your sonne neither cow to give him milck nor bed to lay on, nor servant, he making answer, is not Samuell her sonne as well as myn, for I have made no will."[48]

The simplicity of Wyatt's will and his state of mind at its writing would not have become issues but for Damaras's subsequent marriage to Thomas Bland. For from the time of her daughter's marriage to Edward Dorsey in 1674 until Damaras's remarriage in 1675, Damaras trusted Dorsey with handling many affairs connected with her executorial duties, such as the estate inventory. But after her marriage to Bland, things went awry. Rather than being ranked a trusted member of the family, in the scheming eyes of Thomas Bland, Dorsey became a thieving pariah accused of bringing about the nullification of Wyatt's 1671 will and of inflating the estate inventory by nearly 100 percent.[49]

According to court records, however, the nullification of Wyatt's will on September 5, 1676, was based on the testimony of Cornelius Howard and witness Mary Ennis. Under oath Howard had allegedly stated that Nicholas Wyatt "was not of sound memory, and that the sd. Nicholas after his recovery of that sicknesse had declared to the said Howard that at the time of the making his said will that he the said Wyatt was not in his sences." Ennis's testimony was that, "the said Wyatt after his recovery declared he had made no will or intended to make any."

The voiding of Wyatt's will meant the revocation of letters testamentary formerly issued to Damaras Wyatt, effectively removing control of the estate from Thomas Bland, her new husband. This in turn set loose an intense scramble by both Bland and Dorsey to gain control of Wyatt's estate. While Bland considered Dorsey responsible for the will's nullification, Damaras seemed to think it was some failure on her new husband's part, going so far as to characterize herself as having been "aggrieved" by "Thomas her husband." Damaras petitioned the court to reconsider its decision to void the will and revoke her appointment, since she "hath for two yeares at a vast expense and trouble undergone the burden of the executrixship."[50]

To simplify a complex and drawn-out case, the suit culminated at a court of chancery "held att the Citty of Saint Maryes" on October 14, 1679, with the hearing of complaints and answers by all parties, including additional co-defendants Richard Hill, Thomas Taylor, and William Burgess.[51] The most significant points of contention were not the two inventories for the estate, the first of which was nearly 100 percent higher than the second, but the account filed by Damaras Bland in 1676 and the ownership of the deceased's two plantations. On both points Thomas and Damaras Bland emerged victorious.

In the matter of the account—first contested by Edward and Sarah Dorsey in 1676, and ultimately audited by the chancery court in late 1679—the Dorseys had taken understandable exception to the 120,013 lbt. in charges against the estate alleged by the Blands's account. This sum was equal to the total wealth of merchant Thomas Meeres who died in 1674 and ranked second behind Wyatt in this cohort's inventoried estate values. Moreover, it left but 34,589 lbt. in the estate, or only 22 percent of Wyatt's inventoried estate.

The expenses detailed in the Blands's account had accrued over a three-year period, from Wyatt's death in 1673 through the chancery court proceedings of 1676. Not the least of these was a nine-year-old debt of 5,000 lbt. long since paid off by Wyatt, according to exceptions filed by Dorsey. Another was 3,420 lbt. charged to the estate for cattle belonging to an orphan "left under the tuition of Nichols Wyatt" that, after his death, was "unjustly" detained by the Blands. One of the few expenses the two sides agreed upon was the 100 lbt. paid to James Rigbie for a coffin. Also uncontested was the charge of 13,100 lbt. for "cattle horses and hoggs dead and lost since the death of the said deceased."[52] Apparently the court's referees did not find any reason to doubt the Blands's substantial expenses charged against Wyatt's estate.

In addition to the previously mentioned disputes, there was a question regarding Wyatt's two plantations. Together these totaled 975 acres. Under the voided will both would have ended up in the possession of Sarah Wyatt, Nicholas's daughter. The arbitrators hired after the will's nullification in 1676 determined, however, that Damaras and her new husband Thomas should have the Wyatt's home plantation, a tract of approximately 250 acres on the south side of the Severn River, as well as an unimproved plantation containing 625 acres which Damaras had sold to Dorsey before her marriage to Bland.[53]

The widow Wyatt and her husband Thomas Bland won both issues of the dispute and wound up with the bulk of Wyatt's estate. As to why the judges favored the widow and her husband over Wyatt's daughter and her husband Edward Dorsey, the man Damaras first entrusted with administering her estate,[54] it may have been simply that Bland argued with more certainty and confidence. This could have left the judges with the impression that he was, in fact, the proper possessor of Nicholas Wyatt's wealth. Archival evidence suggests that

Thomas Bland had an unmistakably litigious temperament, thus leading one to conclude that his arguments were louder than Dorsey's assertions. Or it could simply be that the court favored the widow over the daughter.

Rejecting Executorship

Given the ordeal an executrix may be forced to endure, it is perfectly understandable that one might refuse the job, leading us to our last question: What happened when an appointed executor renounced the job? The biggest job an executor or executrix faced was the receipt of debts owed to the estate and the disbursement of debts owed by the estate. In the case of Bristol merchant Ralph Williams's estate, executors Thomas Marsh and Robert Burle spent two years settling the affairs of the estate. In fact, so complex was Williams's business that he bequeathed each plate worth three pounds sterling to be sent to them from London by his cousin for their trouble. When all was finished, the account took up twenty pages in the book of inventories and accounts. Burle claimed expenses of 4,726 lbt and Marsh expenses of 6,867 lbt. These included "43 dayes time spent wholy upon the estate's businesse before our coming downe for coppies of the will." Furthermore, as a show of good faith an executor or executrix was required by the court to execute a bond to "the right honorable the Lord Proprietary" for double the appraised value of the estate. Thus, for an estate appraised for 46,667 lbt., the requisite bond would be for 93,334 lbt.

John Meeres named "my loving friends Samuel Chew Esqr. Philip Thomas and Samuel Thomas my brothers in law and Richard Jones to be executors to this my last will and testament."[55] However, Samuell and Philip Thomas "renounced theyr executorship," according to a pleading made by Samuell Chew on January 18, 1675. Ultimately the estate was administered by Chew and Jones, who arranged for the requisite inventory and account of administration.

Another instance of refusing to administer an estate was Elizabeth Warner, whose husband, James, died in 1674. Although Elizabeth was named executrix and started to administer the estate, going so far as to have an inventory taken, she ultimately neglected her duty and the job devolved to the Warner's daughter Johanna. New appraisers were also appointed and a new inventory taken. Mathematical errors led to the undervaluing of the Warner estate in the first inventory by some 15,000 lbt. Four months later a new inventory was taken and again a mathematical error undervalued the estate, this time by a far smaller sum of 4,500 lbt. The discrepancy between the first and second inventories was 11,267 lbt. If, from these records, we were to calculate the annual cost of maintaining the Warner household, we would have to conclude it was nearly 34,000 lbt., an unbelievably large sum. In analyzing what items were missing between the first and second inventories, we learn the following: about twenty cattle and swine

disappeared (most likely they died of illness or were butchered and consumed by the household); debts receivable decreased by 6,310 lbt.; and 3,300 lbt. worth of tobacco and corn had been sold or consumed.[56]

Some categories actually increased between the taking of the first and second inventories. The value of beds increased by 1,200 lbt.; labor increased by 1,200 lbt. (about the value of one indentured servant); and new cloth increased by 359 lbt. One colt vanished between the two inventories and may have been sold or deceased in the interim. Two thousand five hundred lbt. of the decrease is due to the appearance of the decedent's wearing apparel in the first inventory and its absence in the second.[57] From Warner's will we know that he bequeathed his clothing to friends and relatives, thus its absence in the second inventory is expected.[58] Apparently, Henry Sewall posted the requisite bond and paid estate debts and funeral expenses after which a probate judge ordered Thomas Taillor "to divide the cleere estate into three equal parts."[59] Unfortunately, an account was never recorded. Yet it seems that Warner's widow, daughter, and new husband amicably and fairly worked out the matter, unlike the Wyatt and Norwood examples.

We thus see that when the job of administrator was refused, a new one willing to post the requisite bond was appointed. If named executor of an estate valued at 100,000 lbt., how was a man of far more modest means to meet the bond requirement of 200,000 lbt.? One can only assume that when dictating his last will and testament from his deathbed, the testator foresaw this problem and nominated an individual or individuals he knew could singly or collectively fulfill the bond requirement. More importantly, between the time the first appointed executor rejected his or her duties and appointment, and the nomination of a replacement, months passed during which the estate stood unprotected and vulnerable to scheming men selfishly interested in marrying the widow and marriageable daughters.

In the final analysis, it is clear that men who were so courageous as to take a six-week or longer voyage across the Atlantic to reach a then relatively unknown New World were risk takers whose quest for profit was not to be contained by the probate process. This is seen in microcosm with the 1650s cohort of founding settlers to Providence, who deftly manipulated the newly instituted probate process of the 1670s to hide their wealth from creditors and relatives. Although the present study casts new light on early planters of the Chesapeake and the probate process, it also raises new questions for historians and archaeologists attempting to construct a true picture of these planters' material worlds.

NOTES

1. Providence was founded in 1649 by a small group of nonconformists in flight from Anglican Virginia. The number of founding settlers is based on men who claimed lands during the time period 1649–52. The colony's land and court records are incomplete because of the state house fire of 1704. Some landholders were briefly mentioned as adjacent landholders in the patents of others. Among the records lost in the 1704 fire were two books of Rights which dated from 1649–57. These books were kept by Robert Burle, one of the settlers examined later in this study. *Archives of Maryland* (hereafter *Archives*), 72 volumes (Baltimore: Maryland Historical Society, 1883–1972), 20:193–95.

The reason for such a narrow temporal definition for founders is that a unique group of men arrived during this period—many were religious exiles from Virginia—to settle at Providence. Later arrivals were inspired by different impulses to migrate and thus cannot be credited with influencing the aura that made Providence such a unique community of families.

2. The process was institutionalized in 1670 when the prerogative court began formally addressing matters of probate. One issue it dealt with was disputes over an estate by the survivors.

Significant works on the standards of living in the colonial Chesapeake are: Lois Green Carr and Lorena Walsh, "Inventories and the Analysis of Wealth and Consumption Patterns in St. Mary's County, Maryland, 1658–1777," *Historical Methods*, 13 (1980): 81–104, for which 2,613 inventories were coded and analyzed; Lois Green Carr and Lorena Walsh, "Changing Lifestyles and Consumer Behavior in the Colonial Chesapeake," in Cary Carson, Ronald Hoffman, and Peter J. Albert, eds., *Of Consuming Interest: The Style of Life in the Eighteenth Century* (Charlottesville: University Press of Virginia, 1994) which looks at 7,500 inventories from three Maryland (Anne Arundel, St. Mary's, and Somerset) and one Virginia (York) counties; and Gloria Main, *Tobacco Colony: Life in Early Maryland, 1650–1720* (Princeton University Press, 1982) based on 3,698 inventories from six Maryland counties: Anne Arundel, Baltimore, Calvert, Charles, Kent, and Somerset.

3. Prerogative Court (Inv. & Acc'ts) 4, fol. 358. [MSA S 536-5]

4. An example of this is found in the account of Ralph Williams's estate: "3 gall of brandy at the appraisemt . . . & 1 bottle of brandy when we went to St. Maries [probably to exhibit the inventory]." Prerogative Court (Inv. & Acc'ts) 2, fol. 224–243.

5. Lorena S. Walsh, "Questions and Sources for Exploring the Standard of Living," *William and Mary Quarterly*, 3d ser. 45 (1988): 122.

6. These individuals arrived in Maryland within three years of one another and died at about the same stage of life on the Chesapeake.

7. On Sunday, May 28, 1645, Durand was accused of such "lay preaching" in Virginia to members of the Elizabeth River parish: "he hath customarily by the space of these three month last past, upon several sabboth days (as by certain and credible information to us given) preached to the said people." Edward W. James, ed., *The Lower Norfolk County Virginia Antiquary* (repr., New York: Peter Smith, 1951), 14–15.

8. For an in-depth examination of the Providence cohort's experiences in Virginia, then Maryland, see Karina Paape, "From Nansemond to Providence: The Quest for Piety and Profit in the Seventeenth Century Chesapeake." (M.A. thesis, University of Maryland, Baltimore County, 1997).

9. James, *The Lower Norfolk County Virginia Antiquary*, 61.

10. Jon Butler, ed., "Two 1642 Letters from Virginia Protestants," *Proceedings of the Massachusetts Historical Society,* 107–8.
11. Karen Ordahl Kupperman, *Providence Island, 1630–1641: The Other Puritan Colony* (Cambridge University Press; 1993).
12. Butler, "Letters . . . ," 103.
13. John Davenport: Notes of Sermons 1632. Beinecke Rare Book and Manuscript Library, Yale University, Gen. Mss. Vol. 58.
14. Interestingly, Davenport was an Anglican who voiced his opposition to Puritanism in 1624, but by 1633 he considered himself a nonconformist, largely due to his dislike for the high ceremony of the Church of England, replete with its mandate that one kneel when receiving the sacrament. As a nonconformist, Davenport had strict views about the worthiness of one presented for baptism. He felt strongly "that the children of godly and approved Christians, are not to be baptised untill their parents be set members of a Congregation." *An Answer to the Elders of the Severall Churches in New-England unto Nine Positions, Sent Over to Them (by divers Reverend and Godly Ministers in England) to declare their Judgements therein* (London: 1643).
15. Butler, "Letters . . . ," 109.
16. Ibid., 108.
17. An ethos common to the times was "Providence," the nature of which was defined in word and print by respected Puritan divines. One such sermonizer, John Preston, described the nature of "Providence" as it was most popularly held in the seventeenth century, as a divinely ordained causal agent. "Providence is nothing else, but to guide, governe, and direct every Creature to their severall ends, and businesses, to which hee hath appointed them. . . . When you see the wheels of a Watch fitted one to another, when you see the sheath fitted to the sword, you say, this is done by some Art. . . . The fitting of one thing to another, shewes that there is an Art that doth it, which is the Providence of God." John Preston, "The New Covenant, or The Saints Portion. A Treatise Unfolding the All-Sufficincie of God, Mans uprightnes, and the Covenent of grace," (1630), 158. Beinecke Rare Book and Manuscript Library, Yale University, Mhc 5, P926, N4, 1630c.
18. Anne Arundell Town was in turn renamed Annapolis in 1695. Robert J. Brugger, *Maryland: A Middle Temperament, 1634–1980* (Baltimore: Johns Hopkins University Press, 1988), 41.
19. See Paape, "From Nansemond to Providence: The Quest for Piety and Profit in the Seventeenth Century Chesapeake," 68.
20. Probate was voluntary, not mandatory. It could also be a financial drain for the poorer estates. Of the men for whom we have specific information, the cost of putting an estate through probate ranged from 512 pounds of tobacco (lbt.) to 2,886 lbt. for the most complex probate entailing court suits and orders. The absence of probate records is problematic for the gaps left and therefore demands caution. For example, such a void inclines one to think that Zepheniah Smith, who arrived in Maryland with the first wave of emigrants in 1649/1650, left the province. But there is no way to know for sure. All that is known of Smith's life in Maryland is that he was a planter who made a demand for six hundred acres of land on January 7, 1649. In addition to transporting himself into the province, Smith transported five servants. He held no public offices, but seems to have dabbled in boat building to supplement his income as a planter. In December 1650 he sold a "newly trimmed and fitted" shallop of twelve tons "burthen" along with "ropes, sails, grapling cable and all things else," including a small boat that "belong to her" (and was probably used as a tender). But it could very well be that he died a very poor and landless man whose meager estate did

not warrant probate, or he could have amassed a sizable estate and left the colony all together.

21. Prerogative Court (Wills) 4, fol. 70. [MSA S 538-9]
22. Prerogative Court (Wills) 2, fol. 350–351. [MSA S 538-2]
23. Prerogative Court (Wills) Box C, folder 96. [MSA S 540-3]
24. For example, four of the thirty men also left estates in England so I can only assess their Maryland wealth versus the entire product of their three decades of work and investment on the Chesapeake. A second obstacle is the fact that destruction of provincial records—such as occurred in the Maryland state house fire of 1704—makes it impossible to answer such intriguing questions as the collectability of debts receivable. Fifteen of this cohort's twenty-eight inventories list debts owed to the decedent, ranging in percentage of total estate value from 3 to 88 percent (the median is 19.6 percent). Without knowing what percentage of these were collected, these settlers' labor and livestock holdings come out to be much lower than the other men in their respective wealth groups. Obviously, such occurrences dilute the medians, thus clouding analytic accuracy. Moreover, since only a quarter of the group included accounts of administration, it is very difficult to measure the net holdings of everyone. Overall, then, it is extremely difficult to assess the success/failure rate of these early settlers from inventories alone.
25. In contrast to standard inventory analysis, which uses English currency, throughout this article I use pounds of tobacco (lbt.). Of the twenty-eight inventories for this cohort, twenty-six use lbt. Beginning in 1670/80, English currency replaced lbt. in inventories
26. Prerogative Court (Test. Proc.) 6, fol. 517. [MSA S 529-13]
27. Al Luckenbach, *Providence 1649: The History and Archaeology of Anne Arundel County Maryland's First European Settlement* (The Maryland State Archives and The Maryland Historical Trust, 1995), 10–12; and Luckenbach, personal communication, August 3, 1998.
28. Since its inception in 1992, the *Lost Towns of Anne Arundel Project* has located eight early colonial town sites in the county.
29. Specifically, Burle asked that his "great wainscot chest and my yellow guilded bason marked RB on the bottom" not be "brought into the Inventory and appraisement of my estate." Prerogative Court (Test. Proc.) 9, fol. 303. [MSA S 529-16]
30. Chairs were a convenience, not a necessity. Many settlers lived in crowded homes where they sat on beds, chests, and tables. That Burle had four chairs indicates that he was better off than many householders in his wealth group. See Main, *Tobacco Colony,* 249–50, 261; Prerogative Court (Inv. & Acc'ts) 3, fol. 94–96.
31. Prerogative Court (Test. Proc.) 6, fol. 108–109. [MSA S 529-13]
32. Ibid., 191.
33. Prerogative Court (Inv. & Acc'ts) 4, fol. 350–355. [MSA S 536-5]
34. Prerogative Court (Inv. & Acc'ts) 5, fol. 321–323. [MSA S 536-6]
35. *Archives,* 66:1, 79; 67:156, 274, 428; 68:1, 80, 159, 241.
36. *Archives,* 51:205, 213, 531–533, 563. One filing for this suit hints at the issue Burle hoped to resolve: "Subpa. Thomas Marsh to answer a Bill in Chancery at the suit of Stephen Burle Exr. Of the Last will and testamt. Of Robert Burle deced," 205.
37. Prerogative Court (Wills) 10, fol. 82–87. [MSA S 538-15]
38. Prerogative Court (Wills) 2, fol. 2–5, 143, 350–351. [MSA S 538-2]
39. Prerogative Court (Inv. & Acc'ts) 1, fol. 86. [MSA S 536-1]
40. *Archives,* 55:192–93.
41. Prerogative Court (Test. Proc.) 5, fol. 383–386. [MSA S 529-12]
42. Prerogative Court (Inv. & Acc'ts) 1, fol. 159. [MSA S 536-1]

43. Prerogative Court (Test. Proc.) 7, fol. 134. [MSA S 529-14]
44. Prerogative Court (Inv. & Acc'ts) 6, fol. 674–676. [MSA S 536-7]
45. Prerogative Court (Wills) 2, fol. 72. [MSA S 538-2]
46. The most intriguing thing about Nicholas Wyatt is that he seems to have acquired vast wealth. His inventory included twelve chests, twenty pictures, and fifty-one chairs, while living a virtually anonymous life among his peers. Or it could be that he was related to Sir Francis Wyatt, governor of Virginia from 1621 to 1626. He never held public office and his life before arriving at Providence in 1651 is a complete mystery, which requires further research.
47. This document was but five sentences in length. In addition to bequeathing his soul to God and declaring his wife Damaras his "whole and lawfull executrix," Wyatt bequeathed one of his two plantations to his minor son Samuel and the other to his daughter Sarah. Prerogative Court (Wills) 1, fol. 597. [MSA S 538-1]
48. Prerogative Court (Test. Proc.) 4B, fol. 3–4. [MSA S 529-10]
49. Chancery Court Proceedings, *Archives,* 51:544–50. Bland accused Dorsey of inserting "more goods then belonged to Wyatt" and of having "converted much of the said Wyatts goods to his owne use, that Dorsey caused the will to be pnounced Voyd."
50. Prerogative Court (Test. Proc.) 8, fol. 81–92. [MSA S 529-15]
51. Col. Taylor and Col. Burgess were the arbitrators employed by Dorsey and Bland. Richard Hill's role is not known and his petition to be dismissed was granted as were "his Costs for his unjust and Vexatious Suit aginst him." Chancery Court Proceedings, *Archives,* 51:275.
52. Prerogative Court (Test. Proc.) 8, fol. 81–91. [MSA 529-15]; Prerogative Court (Inv. & Acc'ts) 2, fol. 246–252. [MSA S 536-3]
53. *Archives,* 51:544–50.
54. During the time that Edward Dorsey administered the estate for Damaras, before her marriage to Thomas Bland, there was no indication that Dorsey in any way mishandled that responsibility or that Damaras had either lost faith in his ability or grown suspicious of his intentions.
55. Prerogative Court (Wills) 2, fol. 72. [MSA S 538-2]
56. Prerogative Court (Inv. & Acc'ts) 1, fol. 100–105; 169–177. [MSA S 536-1]
57. Ibid., fol. 100–105; 169–177.
58. To his son-in-law Samuel Howard, Warner bequeathed "my cloath suite and a sarge coat . . . unto Philip my stuff suite . . . unto my son Henry Sewell a cloath suite that I now wear . . . unto Abraham Child a cloath coate."
59. Prerogative Court (Test. Proc.) 6, fol. 397. [MSA S 529-13]

Book Excerpt

"A Monument to Good Intentions"

Wallace Shugg is by now a familiar name to readers of the *Maryland Historical Magazine.* His most recent article, "The Great Escape of Tunnel Joe Holmes" appeared in the Winter 1997 issue. The following excerpt is taken from Mr. Shugg's larger work, a historical essay on a long-overlooked Maryland institution, the oldest continuously operating institution of its kind in the Western World. *"A Monument to Good Intentions": The Story of the Maryland Penitentiary* will be published by the Press at the Maryland Historical Society in early summer. This excerpt is drawn from a chapter on the 1960s and 1970s, "Years of Political Turmoil."

Until the 1960s, the Maryland Penitentiary was racially segregated, as it had been for most of its long history.[1] Photographs taken around 1890 show black and white prisoners in separate lines entering the old mess hall (now housing the sewing and print shops), where presumably they sat at separate tables. Certainly, as the decade of the 1960s began, blacks and whites occupied separate tiers in the dormitories[2] and sat on separate sides of the penitentiary auditorium. But the Civil Rights Movement, led by Martin Luther King Jr. was even then making itself felt inside the penitentiary.

The 1962 Christmas issue of the inmate-run magazine, *The Courier,* published a group photo of twenty-one blacks that tells its own story. Most are smiling or wear affable expressions. But three of them, seated front and center, look serious and have raised their clenched fists in the Black Power salute. It was an early sign of awareness in black inmates of the Civil Rights Movement taking place in the world outside the prison walls. This militant spirit may have owed something to a visitor to the penitentiary only six weeks earlier.

On November 17, 1962, comedian and black activist Dick Gregory came to the penitentiary auditorium to give a performance and found whites sitting on one side, blacks on the other. He refused to proceed until the audience integrated itself, which it did for that one show only. The penitentiary was not desegregated then and there, but according to Baltimore black activist Leo Burroughs, there were signs of gradual desegregation throughout the prison system "beginning in 1966, more so by 1968."[3]

In April 1963 a climactic phase of the Civil Rights Movement occurred when Martin Luther King Jr. was jailed in Birmingham, Alabama, for leading protest

marches against segregation. The ensuing dramatic confrontation between marchers and police—who used fire hoses, clubs, and dogs against black women and children—was played up in the newspapers and on television and would certainly have fueled the discontent of black inmates throughout the Maryland prison system.

Along with the ongoing Civil Rights Movement in 1963 came a decision from the Supreme Court that would help engender a new spirit of militance in prisoners at the penitentiary, black and white alike. After five years spent on the penitentiary's death row, convicted killer John Leo Brady won a reprieve. The Supreme Court ruled that Brady's civil rights had been violated, that the State of Maryland had suppressed evidence favorable to him at his trial in 1958 and was in violation of due process. The *Brady* decision, according to his biographer, "became the crux of appeals by convicts in prisons around the country," not just at the Maryland Penitentiary. A number of similar decisions in the 1960s—*Mapp* (1961), *Escobedo* (1964), *Miranda* (1966)—would in time make prisoners across the nation increasingly aware of their rights. Many would become "jailhouse lawyers" who worked in their cells on their cases in hopes of winning their freedom or obtaining redress for such wrongs as overcrowded conditions or guard brutality.[4]

Like the Civil Rights Movement, the various protests by students in the 1960s received wide coverage in the newspapers and on television and undoubtedly contributed to the unrest among prisoners across the nation, though exactly to what extent would be difficult to determine. The manifesto issued by the Students for a Democratic Society in the spring of 1962, known as the Port Huron (Michigan) Statement probably would have gone unnoticed by most inmates. But the Free Speech Movement at the University of California at Berkley in 1964—Mario Savio addressed thousands of students on December 2—was a conspicuous event in the media.[5] So were the clashes that took place between police and students, the latter mainly offspring of white, middle-class parents. Seeing or reading about these events, a prisoner might well have asked himself, if these spoiled kids can act up, why can't I? The massive demonstrations by students (mostly white) against the Vietnam War later in the decade would have been even more unsettling. As explained by criminologist Donald Cressey, since "the prison . . . is a microcosm of the society in which it sits, militancy on the outside is bound to be reflected on the inside."[6]

In prisons across the country during the decade of the 1960s, relations between inmates and their keepers steadily worsened as the inmates became politicized. Prior to the mid-1960s, there were enough "sensible" prisoners—those who just wanted to do their time quietly—to balance the more violent. By the late 1960s, according to Jessica Mitford, "a state of war between keepers and kept" developed. Black prisoners were "beginning to look upon the whole criminal justice system, with the penitentiary at the end of it, as an instrument of

class and race oppression." They acquired new militancy from the works of Che Guevara, Franz Fanon, Mao, and such books as *Soledad Brother, The Autobiography of Malcom X,* and *Soul on Ice.* Whether black or white, these newly politicized prisoners tended to look upon themselves, not as deviants, but as "political" prisoners.[7]

At the Maryland Penitentiary, too, the 1960s were pivotal for the relations between inmates and their jailers, though opinions differ about the causes of change. Before then, according to retired captain Robert Burrell, inmate assaults on guards were relatively uncommon. Both guards and convicts had a kind of respect for each other or followed a mutually recognized code of behavior. But by the late 1960s, he said, the drug culture had taken hold, at first on the streets and then inside the penitentiary, generating unrest and loss of restraint on the part of younger inmates.[8] Retired major Martin L. Groves blamed the changing political climate—chiefly, the Civil Rights Movement and certain decisions of the Supreme Court (*Escobedo, Miranda*) and the media coverage of protests and demonstrations—for stirring up the inmates.[9] Retired captain Harry Loftice put part of the blame on the leniency of the state's prison administrators: "The prisoners took advantage, tried to see how much they could get away with."[10]

Indeed, a not-so-benign neglect seems to have allowed corruption to permeate the entire prison system. From 1953 to 1964 the penitentiary had been run by Vernon L. Pepersack, a man described as "100% more lenient" than his predecessor, Edwin T. Swenson.[11] Pepersack's paternal or intimate style of managing the prisoners may have helped allay their normal discontent with prison life as long as he was on the scene. But when on April 21, 1964, he was elevated to the post of commissioner of corrections, according to his critics, "he began to ignore the inmates or to make promises he could not fulfill."[12]

As commissioner of corrections, Pepersack's leniency could influence if not set the operational tone for the whole prison system, as newspapers occasionally noted. In the summer of 1964 he asked penitentiary inmate Donald Warrington, a skilled cabinet-maker, to construct a large-scale model of the frigate *Constellation.* Both Warrington and another inmate, a photographer, were allowed visits—accompanied by a guard—to the *Constellation* at its Pier 4 berth in Baltimore harbor.[13] Similarly, in the summer of 1965, an inmate quartet called the "Wayward Sons" made penitentiary history when Warden Franklin K. Brough permitted them to cut a commercial record at a Baltimore recording studio under armed guard.[14] While these brief excursions may seem justifiable—the visits to the *Constellation* to verify details and the visit to the recording studio as rehabilitation through music—others seem less so, as when a guard captain took one inmate to a local pig roast.[15] Rumors of bribery and favoritism and other illegal dealings with penitentiary inmates would eventually result in a state

police criminal investigation of the whole penal system and the purging of those held responsible, from Commissioner Pepersack on down.[16]

Pepersack's troubles began only six months after he took over the prison system. The first major riot of the 1960s erupted on October 23, 1964, at a sister institution of the penitentiary, the medium-security House of Correction in Jessup. The disturbance started after a rumor spread of guard brutality against an inmate who had earlier been involved in a dining room altercation. Rioting prisoners took control of a tier of cells for two hours and held twelve guards hostage. State police subdued the rioters using fire hoses but no gas or shotguns. The supposedly beaten prisoner was then paraded—unharmed—before the other inmates. It was the first riot there in nineteen years. Three days later five hundred inmates staged a sit-down strike in the same prison's workshops and demanded the dismissal of the guard involved in the alleged brutality.[17] A similar disturbance occurred at the penitentiary only a year later. On October 19, 1965, seven hundred inmates joined in a nonviolent sit-down strike in the workshops. Their action began with a mimeographed letter written by an inmate calling for the peaceful demonstration. Commissioner Pepersack subsequently put part of the blame on "the contagion of civil disobedience demonstrations throughout the nation."[18]

The House of Correction riot of 1964, in breaking a nineteen-year period of peace in the prison system, could have helped pave the way for a similar disturbance at the correctional facility at Hagerstown on April 12, 1966, followed by a truly spectacular one at the penitentiary on July 8, 1966. Like the House of Correction riot, the penitentiary's outbreak began after a rumor of guard brutality. On Thursday afternoon, July 7, 1966, twenty-four-year-old inmate John E. ("Liddy") Jones became involved in a punching match with guards escorting him to his cell and in his own words "gave as good as he got" before six of them subdued him. Jones and several guards were treated for minor injuries. Overnight, the rumor spread throughout the prison population that Jones had been severely beaten. The trouble began on Friday at 11:30 in the morning, when six prisoners in the mess hall went on a rampage, and spread into the yard among approximately a thousand men. Four buildings were soon set ablaze, including the license-tag and print shop housed in old G dormitory (1829). Smoke and flames rose fifty feet and consumed its upper stories before being put out. Prisoners looted the commissary, then set it afire. Assistant Warden James Jordan tried to rescue an inmate from the burning commissary and then collapsed. His action, according to Warden Roger B. Copinger Jr., provided the "psychological turning point of the riot." The men began to return to their cell blocks and by 2:30 P.M. it was over. Unlike the House of Corrections riot of 1964, there had been no violence against the guards.[19] But the penitentiary had suffered its most

serious outbreak and destruction of property since the trashing of C dormitory on August 20, 1920. Fourteen days later Governor J. Millard Tawes called for a general investigation of the state prison system by a seven-member commission headed by Judge Benjamin Michaelson.[20]

These three riots of the 1960s were followed by two more at Jessup, one at the Maryland Correctional Institute for Women in November 1966 and another at the House of Correction in January 1967. In between the riots came rumors and reports of neglect, incompetence, and corruption in the prison system, beginning with the penitentiary. In December 1965 it was reported that penitentiary inmates were obtaining weekend leaves by paying money. A probe conducted by state police resulted in the demotion of Warden Franklin K. Brough to captain and his transfer to the House of Correction, as well as the dismissal of Assistant Warden Herbert W. Powell, Captain Joseph S. Alvey Jr., and two guards. Other stories surfaced, according to a newspaper account, about "favoritism in selecting inmates for the work-release program, and suggestions of payoffs; of heavy narcotics traffic into the prisons, particularly the House of Correction; rampant homosexual activity that was condoned, poor medical care and favoritism for certain inmates in other areas."[21] Early in 1966, Attorney General Francis Burch launched a full-scale investigation into the entire prison system that resulted in the dismissal of Commissioner Pepersack on February 28, 1967. Although no criminal charges were filed against him, he was held partially responsible for "serious administrative deficiencies."[22]

It is difficult to assess Pepersack as a prison administrator because the available evidence is scanty and somewhat contradictory. Perhaps the best term for him is "easy-going," imprecise though it may be. Some of his critics described him as a man "with a ready, quick laugh, and a country boy's charm," one who had "a vocabulary of progressive terms" but "only talked a progressive game.... The forward-looking programs he outlined were often lacking in his own system." Political patronage or cronyism apparently characterized his administrative style. His own appointment as commissioner in 1964 reportedly came through the influence of a "confidante" of then-Governor Tawes. As commissioner of corrections, Pepersack "appointed close friends who had come up with him from the ranks to positions of high responsibility. Most of them were the old-school guards, many with little education and little leadership ability." And yet, according to another newspaper article, he appointed former school teacher and army officer Roger B. Copinger Jr. to the wardenship of the penitentiary as "part of a new trend in Maryland to attract men with educational and military backgrounds to prison work."[23]

At about this time, too, significant numbers of blacks were being brought into the largely white guard force in an effort to strike more of a balance and to provide equal opportunity for blacks,[24] though it is not clear whether Pepersack

had anything to do with initiating this policy. On February 11, 1966, forty-one-year-old James Jordan, a graduate of Morgan State College and educational supervisor at the House of Correction, was named assistant warden in charge of treatment at the penitentiary, the highest post ever held by a black in the prison system.[25]

On March 14, 1967, the full report of the Michaelson Commission was released to the press. It called for a modernization of the state's penal system and presented sixty-five recommendations, among them strengthening the work-release program, which the commission called one of "the most valuable rehabilitation tools the State prisons could offer."[26] The program was intended for inmates nearing the end of their sentence, to help them adjust to working conditions in free society. Work-release inmates were allowed to work at regular jobs outside the prison during the day and return at night. State officials had planned to construct a work-release and pre-release center housing two hundred inmates. In the meantime, the large warden's residence adjoining the penitentiary would be converted into dormitory space for forty work-release inmates. The residence had housed the penitentiary wardens since its construction in 1900, but the new warden, Roger B. Copinger, chose to move his large family away from the prison environment.[27] Another recommendation of the Michaelson Commission was the establishment at the penitentiary of a Reception, Diagnostic, and Classification Center, to evaluate newly committed offenders psychologically and assign them to one of the minimum, medium, or maximum security institutions throughout the state.[28]

Following Pepersack's dismissal on February 28, 1967, a nation-wide search was undertaken—as recommended by the Michaelson Commission—by "a national committee of experts" for a new commissioner who could reform the troubled Maryland state prison system. The man who took office on July 10, 1967 was forty-two-year-old Joseph G. Cannon, a former head of the Kentucky prison system, who reportedly had transformed it from something "medieval" into a "model of reform." Cannon told the press he believed in merit, not political patronage, as a basis for hiring and promoting, and that he would use the Michaelson Commission Report as a guideline for his reforms.[29]

Brought in as an outsider and backed by his superiors, Cannon reigned over the prison system for the next four years. According to one newspaper summary of his tenure, he "quickly began pressing for broad changes in the penal institutions, trying to shift from a philosophy of retribution to a new emphasis on rehabilitation. He undertook new programs of education, narcotics treatment, psychological help, job training for inmates, and . . . began seeking greater reliance on community-based programs rather than the traditional methods of institutional confinement.[30]

But unlike the easy-going Pepersack, Commissioner Cannon proved to be a

headstrong and abrasive administrator, quick to sack any subordinate who failed to back his liberal policies to the hilt. First to be fired on November 4, 1967, was Deputy Commissioner C. William White, a veteran of nineteen years in the penal system and former acting commissioner following the dismissal of Pepersack. Cannon charged that White lacked the "background" for the job and requested his resignation without consulting the Maryland Advisory Board of Correction, thereby affronting that body. White's forced resignation also evoked protests from his supporters, among them state senator Verda Welcome (Democrat, 4th, Baltimore), who called Cannon a "Frankenstein."[31]

Next came the forced resignation of penitentiary warden Roger B. Copinger on September 23, 1968. Copinger subsequently criticized Cannon for surrounding himself with "yes-men" and being "soft on narcotics and on discipline in the prison system."[32]

Support for Cannon's liberal policies came on September 5, 1969, from a report issued by a volunteer citizens' reform group headed by Joseph Whitehill, a free-lance writer from Chestertown. The report itself stemmed from a week-long conference at St. John's College in Annapolis the previous June. The "St. John's Council," as it came to be known, was attended by over 150 prison and police officials, judges, legislators, private citizens and twenty-one convict "consultants," who were invited to communicate their prison experiences through psychodrama and straight talk, without fear of retribution.[33]

Conversely, Cannon's policies were attacked at this time as being "far too liberal" by state senator George E. Snyder (Democrat, Western Maryland), chairman of the legislative council's standing committee on correctional administration. Snyder charged Cannon not only with failure to communicate with veteran prison officers and the advisory board on prisons, but with liberalization of prison rules, resulting in increased narcotics traffic and many "unnecessary" escapes.[34]

Many disgruntled old-time prison officers retired silently during Cannon's tenure, but at least one of them made a public statement. On September 15, 1969, the House of Correction's deputy warden, John L. Dettler, a veteran of almost thirty years, chose to retire because he felt that liberal trends in modern penology had made his job of maintaining security increasingly difficult. "Giving too much freedom to the inmates will eventually turn over control of the prisons to the prisoners."[35]

Dettler's parting shot may have sounded like a paranoid exaggeration of the intentions of the reformers, but only seven months later Joseph Whitehill, of the St. John's Council, vowed to organize an inmate "parliament" at the penitentiary over the objections of Warden Preston L. Fitzberger. Whitehill urged a penitentiary inmate in a letter to spread the gospel of self-government among his fellows. "You are articulate, fluent, angry and black," he wrote, "will you put

those qualities to good purpose, for all your brothers, black and white?" The president of the St. John's Council admitted the idea of inmate self-government had been discussed but denied the council was pursuing it, suggesting that Whitehill's words were "more rhetoric than intent." Nevertheless, the radical notion that prisoners of different races and cultural backgrounds should unite "to determine the direction of their own lives" was taking hold in California prisons at this time and would soon result in insurrection at various prisons across the country.[36]

A second week-long conference was held at St. John's College, beginning on June 24, 1970, attended this time by guards and others who dealt directly with prisoners. One session reportedly turned into a shouting match—complete with four-letter words—between black prisoner-"consultants" and white correctional officers. A media event was staged, in which television cameras followed a newspaper reporter, Charles Balfour, as he became an inmate for a day at the penitentiary to learn "how it feels on the inside."[37]

Meanwhile, opposition to Cannon's liberal policies and administrative style was building among prison officials and conservative legislators. On February 8, 1971, Warden Preston L. Fitzberger resigned his post at the penitentiary reportedly "because he could no longer endure the permissive policies" of Commissioner Cannon. The fifty-eight-year-old Fitzberger had joined the prison system as a guard in 1951 and worked his way up through the ranks to head the Correctional Institute at Hagerstown before coming to the penitentiary in September 1968. He was reputed to treat the inmates fairly but with a firm hand. Along with other correctional officers, he disagreed with Cannon's order for prison personnel to refer to inmates as "clients" and "residents" instead of "prisoners" or "inmates." But he clearly found his job intolerable when Cannon interfered with his running of the penitentiary. Several weeks before his resignation, Fitzberger had turned away three "hippies" from an underground press seeking to interview prisoners. The trio complained to the commissioner, who sat them down and drank coffee with them and then gave them permission to go inside the penitentiary. Fitzberger's resignation came after Cannon overruled his disciplining of troublemakers segregated in the penitentiary's south wing. The warden's departure dismayed some conservative legislators, who called for Cannon's dismissal.[38]

A few months after Fitzberger's resignation, on May 26, 1971, a suit filed by penitentiary inmate William Bundy against Commissioner Cannon came to a decision in favor of the plaintiff.[39] Bundy had sued for due process to be applied in inmates' hearings held by the penitentiary for such offenses as brewing "jump steady," being drunk, dealing drugs, vandalizing cells, making or possessing a weapon, rape, or assault. Formerly, these hearings tended to be informal, "run by the seat of the pants," as a former hearing officer put it.[40] Henceforth, the

penitentiary and other state correctional institutions would be held strictly accountable for following an orderly procedure giving the accused the right to representation and to call witnesses at a formal adjustment hearing.[41] Only since the landmark decision in 1964 by the Supreme Court had the way been opened for a prisoner to sue state officials in federal court.[42] The Bundy case was the forerunner of others to be brought against the penitentiary in the 1970s and 1980s involving such matters as guard brutality and overcrowding.

On August 11, 1971, Commissioner Cannon was fired for "administrative failures," not because of "any dispute over penal philosophy," according to then Governor Marvin Mandel and Robert J. Lally, Secretary of Public Safety and Correctional Services. Lally faulted Cannon for "failures to conform to rules, regulations, and deadlines," including his recent failure to submit his budget proposals for the coming year by the August 1 deadline. Some observers described Cannon as being "casual about administrative niceties, as well as undiplomatic in dealing with other officials." The newspaper account also noted that Cannon had been fired earlier as Kentucky's prison director by the governor for being "insubordinate and uncooperative." Cannon's deputy, James Jordan, was appointed acting commissioner, thereby becoming the first black to head the entire system, which by now had between 70 and 80 percent black inmates. Like Cannon, Jordan held progressive views on penology, but was more realistic and diplomatic in pursuing them.[43]

By the early 1970s, inmates at the penitentiary had clearly become more politicized. In January 1972, inmate Charles Allen complained to the state inmate grievance commission that the penitentiary had refused to allow him to set up a self-help program to teach inmates how to prepare legal writs that could lead to their release. That same month, two inmates filed a suit in the U.S. District Court for $500,000, claiming they had been beaten by guards during a disturbance at the penitentiary a year earlier.[44] At least three typed manifestos from the spring of 1972 survive in Baltimore's Enoch Pratt Free Library from Charles Allen's self-help organization, "The People's Law Society." Crudely written and filled with incoherent legal jargon, the manifestos nevertheless show a growing awareness of the means of legal redress available to inmates.[45] Also surviving at the library is the mimeographed "Dolly Bulletin" from "Man Alive" (a drug rehabilitation organization), which describes—in vivid detail—life in the segregation unit of the penitentiary's south wing. This was dated May 26, 1972, less than two months before the violent riot of July 17, at which inmates displayed the banner "Free All Political Prisoners" and listed conditions in the south wing as one of their grievances.

It was the closest yet to open war. The riot at the Maryland Penitentiary on Monday, July 17, 1972, appears to have been preceded by some unwise actions on the part of the guards themselves. Following a ten-hour disturbance at the

House of Correction in Jessup the previous Saturday night, some of the penitentiary guards reportedly "intimidated and harassed" the prisoners that Sunday evening. The instigator of the riot allegedly was thirty-two-year-old Lascell ("Cadillac") Gallop, who was serving six years for assaulting police. At 12:15 P.M. in the penitentiary's kitchen Gallop threw an acid solution in the face of Sergeant William Bevans. A guard lieutenant came from the dining room to intervene but was attacked by six inmates. Gallop stabbed him in the back with a large "shank" or homemade knife.[46]

Outside the kitchen, a dozen inmates ran across the volleyball court to the wood and metal shop at the southwest end and began smashing windows and starting fires that eventually grew to a four-alarm blaze. Attracted by the commotion, other inmates from nearby shops poured into the court, but only a few joined the rioters; the rest took refuge in their cells. The guards on the wall held their fire because no prisoners were trying to escape.

In the #3 yard, inmate Gallop pursued Sergeant Bevans. Gallop threw a six-foot-long iron bar, javelin fashion, which struck Bevans in the back and knocked him to the ground.[47] Soon after, veteran guard Captain Clarence Davis entered the dining hall seeking classification supervisor Charles Gilfuss and Nathan Pashen, assistant superintendent at the prison reception center. When the trio emerged, Gallop and other inmates armed with clubs took them hostage. Twenty-year-old Franklin Henson, serving twenty years for attempted rape, threatened Davis with one half of a pair of tin snips. The inmates then robbed Davis of his wallet, gas billy, and handcuffs, which they used to handcuff him to Nathan Pashen. The hostages were then led beneath the end of the south wing to parley with prison officials. "I didn't resist," Davis recalled, "it wouldn't have done any good—I just ignored them."[48]

When inmate demands were not immediately met, the hostages—now joined by woodshop foreman Peter Myers—were taken inside the four-story Annapolis building that housed schoolrooms, offices, and laundry off the southwest end of the dining hall. There the rioters trashed the offices. "They led us from room to room," Davis said, "they didn't know quite what to do with us."[49]

At one point Captain Davis and Nathan Pashen were blindfolded and led onto the fire escape on the fourth story. The rioters threatened to push them over the edge unless Representative Parren J. Mitchell was brought in to take part in the negotiations. Half a block away in the administration building, a young social worker, Alan D. Eason, watched the scene from a window in the chapel on the third floor. "I could see a blindfolded man on the fire escape with an inmate brandishing a club," he recalled, "it seemed unreal, that something horrible might happen, as if all conventions had fallen away."[50]

The rioters threatened to kill the hostages if firemen were allowed in to fight the fires, but Baltimore Police Commissioner Donald D. Pomerleau took a chance

and ordered the firemen in anyway. The hostages were spared, but others fared less well during the riot. A woodshop foreman received a head wound requiring several stitches, and three guards were injured, one of them seriously enough to be hospitalized.[51]

Negotiations began in earnest with the arrival of Representative Mitchell at 3 P.M. and Governor Mandel less than an hour later. The inmates presented a list of their grievances. Among other things, they complained about the poor quality of the food and its insufficient quantity, the use of the south wing as a punishment center, and the violation of their rights by the guards. In particular, they wanted Assistant Warden McLindsey Hawkins fired and had earlier displayed a sign to that effect, along with another bearing one of the slogans of the day: "Free All Political Prisoners." Outside the walls, about thirty protesters belonging to Youth Against War and Fascism picketed the penitentiary, chanting "we want no reprisals" and "support prisoners' demands." After Governor Mandel promised the rioters that no reprisals—either physical or mental—would be taken, a settlement was reached at 6:15 P.M., over six hours after the riot began.[52]

Many of the guards and other prison personnel, furious at the seemingly lenient terms of the settlement, staged three walkouts in the next four days. After negotiating with the dissidents, state corrections chief Robert J. Lally imposed an indefinite ban on all visitors, including newsmen, attorneys, and any legislators aiming, he said, "to get a little publicity and shoot their mouths off," a covert reference to Representative Parren J. Mitchell, widely regarded as a disruptive influence. A massive shakedown of the penitentiary, lasting several days, turned up dozens of weapons and—in the prison auditorium, where inmate self-help groups had met with visitors—evidence of drug and liquor consumption and "love-ins" held by inmates with their wives and girlfriends on beds and mattresses hidden behind the curtain.[53]

The aftermath of the riot included a backlash of conservative opinion. Delegate Edward J. Dabroski (Democrat, 1st, Baltimore), a member of a committee studying prison conditions, said his visit to the penitentiary three weeks before the riot strengthened his belief that conditions were not so bad as depicted in recent newspaper articles. While walking through the segregation unit he "became totally disheartened and disgusted" by "the do-gooders on my committee with their notebooks out soliciting grievances from these criminals." Rehabilitation programs were being damaged, he said, by "young politicized inmates."[54] A subsequent grand jury report blamed the July riot on unrest created by outside agitators, drug smugglers, and inmate self-help groups involving visitors. It proposed that "the hardened criminal who has not shown any response to rehabilitation should be separated in a compound or stockade under strict armed guard supervision."[55]

Eventually, the normal prison routine was restored, but officials at the peni-

tentiary had learned some lessons that would prove valuable in quelling the next serious riot. At 7:40 on a Friday evening, March 19, 1973, seventy-five prisoners took over the west wing in a spontaneous outbreak, erecting barricades and smashing out the lights. Seven guards were taken hostage; the rioters hanged two of them briefly before peaceful inmates saved them. Prisoners saved two more by dressing them in prison denims and pushing them into cells out of the way of rampaging convicts. Correctional officers were able to restore order in only two hours because of the penitentiary's new riot control plan involving early response to prevent rioters from becoming well organized, a no-negotiations policy, and a policy of keeping out the news media. City police with K-9 dogs helped riot-trained guards use "divide and conquer" tactics on the dissident inmates. They used large quantities of incapacitating chemical spray, and fired two or three dozen non-lethal plastic bullets from ordinary shotguns. Three guards and three inmates were hospitalized and twenty-three inmates treated for cuts and bruises. Commissioner of Corrections James Jordan speculated that overcrowding might have contributed to the outbreak.[56]

Indeed, overcrowding in all Maryland prisons had increased alarmingly in recent months and would remain a serious problem for the rest of the decade and into the 1990s. Ever larger numbers of offenders were sent to prison by judges in response to the growing "get-tough" mood of the public.[57]

Meanwhile, despite the swift suppression of the March 19 riot, penitentiary inmates remained ready to take out their frustrations on correctional officers. At 6:20 P.M. on July 12, 1973, guard Jefferson O. Jackson was attacked by five inmates in the south wing in retribution for having placed an inmate in solitary for a rules violation. Jackson was stabbed in the neck, throat, and chest and hospitalized in critical condition. A second officer, Barron E. Burch, suffered cuts and bruises. City police were ordered to the prison in case a riot developed, but a group of guards forcibly put down the disturbance. Two weeks later, the five rebellious inmates filed suit in federal court for $17.5 million, saying guards had beaten them and violated their civil rights. Representatives from the Black Panther Party and the George Jackson Prison Movement raised money and drummed up community support for "the Maryland Pen 5," but four years later a federal jury ruled in favor of prison officials.[58]

The day after the stabbing of Officer Jackson, a hundred guards met with Warden Gerald H. McClellan and demanded that the metal shop be closed down, to reduce inmates' ability to make weapons, such as knives. Some threatened to go on strike until the warden met their demand. McClellan complied. If prisoners at this time were becoming more conscious of their so-called rights and ready to fight for them, so were the guards. It was not a pleasant situation for any warden to be in, though it had nothing to do with McClellan's resignation, for "personal reasons," less than a year later. His successor, veteran captain George

H. Collins, 44, became the penitentiary's first black warden on October 9, 1974.[59] He would hold the post throughout nine difficult years, the sixth longest tenure of any warden in the penitentiary's history.

Collins inherited the serious problem of overcrowding, which for nearly two years had been especially acute in the penitentiary's west wing and resulted in double-celling there in over half the cells. Only twenty-six shower heads were available for 837 men—"we run the showers day and night," said one guard captain. Prisoners had only ten to fifteen minutes in which to eat their meals, crammed together twenty to a table in the old dining hall. The penitentiary also lacked a gymnasium and other recreational facilities, and the resulting boredom and frustration had turned the institution into a pressure cooker.[60]

To relieve overcrowding throughout the correctional system, Commissioner James Jordan called for construction of more prisons, but the governor and legislature were reluctant to commit the funds. Community correctional centers, similar to "half-way" houses, were also sought to reduce the prison population, but people living in the designated neighborhoods opposed them. For a time in 1976, the state seriously considered converting a mothballed Navy troop ship into a floating minimum-security prison anchored in the Canton area of Baltimore's harbor, but the idea died in the face of neighborhood opposition.[61]

Time was running out. On January 25, 1977, the Baltimore Legal Aid Bureau filed the first of several suits on behalf of penitentiary inmates to end overcrowding. The penitentiary now held 1,500 prisoners, it charged, twice the intended capacity, and consequently conditions were deplorable. The facility lacked sanitation and space for recreational, educational, or training programs and had developed an atmosphere of violence and brutality. A representative of the Legal Aid Bureau called for increased use of parole and probation and community corrections centers to reduce the prison population.[62]

Community corrections centers—newly fashionable in official penology across the nation during the 1970s[63]—had been in the planning stage in Maryland since the fall of 1972. Their aim was to integrate the offender into the community as he approached the completion of his sentence. Small residential centers housing between seventy-five and a hundred persons each would be established throughout Baltimore City and the state in locations close to the area from which the offenders came. The facilities would be designed for normal residency living, with doors instead of bars and small tables for informal dining. For approximately four months the resident would participate during the day in vocational or educational training under close supervision. If his resulting adjustment record was positive, he would then be allowed to live at home for two months prior to his parole or release. The state had scheduled twelve of these centers to be built by 1983.[64]

But swifter action was needed. The suit to end overcrowding resulted in a fed-

eral court decree on January 24, 1979, ordering officials to reduce the penitentiary's population to 1,028 by October 1, 1980.[65]

In January of 1979 newly elected Governor Harry R. Hughes chose a controversial figure from within the prison system, Gordon C. Kamka, to serve as Secretary of Public Safety and Correction Services with the hope that he could solve the overcrowding crisis. The relatively young Kamka (he was but thirty-nine years old) warden of the City Jail and a psychologist by training, believed strongly in establishing community correctional centers and the increased use of probation and parole to reduce the prison population. His nomination was opposed from the outset by such conservatives as Anne Arundel County Executive Robert Pascal and Chief Judge Robert C. Murphy of the state's Court of Appeals.[66] Pascal, especially, became a "self-styled Paul Revere" warning legislators and the citizenry about Kamka's lenient policies. In particular, he criticized Kamka's early-release program, which, he charged, freed armed robbers, rapists, and murderers, thereby endangering the lives of citizens.[67] The well-publicized arrest of Wendell Beard for murder while serving in a work-release program helped substantiate Pascal's charges. By the spring of 1981, criticism of Kamka's prison policies had grown to the point that both he and his hand-picked commissioner of corrections, Edwin R. Goodlander, were forced to resign on March 30.[68]

This turmoil in the Maryland prison system, caused by conflicting conservative and liberal prison philosophies, was called "a dramatic example of a national debate between those who believe in punishment and building more jails and those who favor alternatives to incarceration because they believe that imprisonment alone will not affect crime." Governor Hughes had learned a lesson from his failed experiment in liberal penology. In Maryland, the mood of the public was swinging now toward reaction and repression, along with the rest of the nation.[69] The resulting "lock 'em up" mentality would inevitably worsen overcrowding at the penitentiary.

NOTES

1. Before the construction of G dormitory with its 320 single cells in 1829, segregation of blacks and whites would have been somewhat difficult, because the penitentiary's only dormitory had twenty-seven congregate night rooms, each holding seven to ten inmates (see chapter one).
2. According to an anecdote told by retired Captain Robert Burrell: "I was working the night shift in the old C-Dorm in the late 1950s. A black inmate was released from the hospital and returned to me to be put in a cell. All the cells on the black tiers were filled, but there was space in the third tier, which was all-white. I called the night shift captain and asked if I could put the black inmate in an empty cell on the white tier. He answered, "'No way—there would be a riot.'" Interview with Robert Burrell, August 16, 1989.
3. Interview with Leo Burroughs Jr. (October 1, 1989), who as an official of the Congress of

Racial Equality and the local integrationist Civic Interest Group was a leader of protests against segregation in Maryland's prison facilities. See "Prayers Protest Jail Segregation," *Baltimore Sun,* April 16, 1963, and "19 Are Arrested at Gwynn Oak," *Baltimore Sunday Sun,* May 19, 1963.

4. Richard Hammer, *Between Life and Death* (New York: Macmillan Co., 1969), pp. 279, 282, 285.

5. David Farber, *The Age of Great Dreams: America in the 1960s* (New York: Hill and Wang, 1994), pp. 191, 196.

6. Quoted by Larry E. Sullivan, *The Prison Reform Movement: Forlorn Hope* (Boston: Twayne Publishers, 1990), p. 88.

7. Jessica Mitford, *Kind and Usual Punishment: The Prison Business* (New York: Alfred A. Knopf, 1973), epigraph to chapter 13, "Prison Protest," pp. 228, 232; and Sullivan, *Prison Reform Movement,* p. 88.

8. Interview August 1, 1988. About 1963, an inmate took Burrell by surprise with a blow to the back of his neck. Eventually the vertebrae became fused.

9. Interview December 28, 1992.

10. Interview March 1, 1995.

11. Interview with retired Captain Clarence Davis, October 21, 1989. His career at the penitentiary (1949–74) spanned the tenures of both wardens.

12. "Warden Gets State Post," *Baltimore Sun,* April 21, 1964, and "Pepersack Ends 30-Year Service," *Baltimore Sun,* March 1, 1967.

13. "Pen Inmate Completing Constellation Model," *Baltimore Evening Sun,* December 17, 1964.

14. "A 'Wayward Son's' Tale," *Baltimore Evening Sun,* October 22, 1965.

15. Interview with retired Captain Clarence Davis, October 21, 1989.

16. "Report on Pen Probe Withheld by Officials," *Baltimore Evening Sun,* May 4, 1966; "Agnew Expected to Detail Prison System Investigation," *Baltimore Sun,* February 22, 1968; and "Pepersack Tags Report on Prisons 'Political,'" *Baltimore Sun,* February 24, 1968.

17. "State Police Quell 2-Hour Riot," *Baltimore Sun,* October 23, 1964; "500 Jessup Prisoners Protest," *Baltimore Sun,* October 27, 1964.

18. "Nonviolent Strike Ends at State Pen," *Baltimore News-American,* October 20,1965.

19. "Police, Firemen Quell Riot of 1,000 State Pen Inmates," *Baltimore Sun,* July 9, 1966. Indeed prisoners and guards met in at least one place on a friendly basis. Because of the hot weather, a cauldron in the mess hall had been filled by the inmates with ice and lime drink. Both sides visited it during the riot, on a kind of neutral ground, and would greet each other with, "How ya doin'?" Interview with retired Captain Walter Farrier, December 6, 1989.

20. "Sweeping Changes in State Penal System Proposed," *Baltimore Sun,* March 14, 1967.

21. "Pepersack Ends 30-Year Service," *Baltimore Sun,* March 1, 1967.

22. "Pepersack Suspended by Agnew," ibid. The report of the state police investigation was not released by the attorney general's office until a year later—see "Agnew Expected to Detail Prison System Investigation," *Baltimore Sun,* February 22, 1968.

23. "Pepersack Ends 30-Year Service," *Baltimore Sun,* March 1, 1967; "Former School Teacher Heads Penitentiary," by Nicholas Horrock, no newspaper title or date given, clipping scrapbook on file at Division of Correction Headquarters.

24. Interview with retired Acting Commissioner of Corrections Elmanus Herndon, March 10, 1995.

25. "Jordan Chosen Deputy Warden," *Baltimore Sun,* February 12, 1966.

26. "Sweeping Changes in State Penal System Proposed," *Baltimore Sun,* March 14, 1967.
27. "Warden's Home to Be Inmates,'" *Baltimore Sun,* March 24, 1967.
28. "Post Is Filled at Penitentiary," *Baltimore Sun,* June 3, 1967.
29. "Sweeping Changes in State Penal System Proposed," *Baltimore Sun,* March 14, 1967; "Governor Picks Pen Commission," *Baltimore Sun,* March 24, 1967; and "Cannon to Shoot Works on Prison System Changes," *Baltimore Sun,* July 11, 1967.
30. "Cannon Fired from Post as Maryland Prison Chief," *Baltimore Sun,* August 12, 1971.
31. "White Resigns Post in Prison System at Request of Cannon," *Baltimore Sun,* November 5, 1967.
32. "Copinger Quits Post as Warden of State Pen," *Baltimore News-American,* September 23, 1968; "Copinger Raps Cannon, Says He Was Fired," *Baltimore News-American,* October 2, 1968; and "Fired Warden Charges Commissioner Blocked Drugs Probe," *Baltimore News-American,* November 18, 1969.
33. "Cannon Prison Reforms Backed by Task Force," *Baltimore News-American,* September 5, 1969, and "Annapolis Conference Helped Officials Do Something for Better Prisons," *Baltimore News-American,* June 19, 1970.
34. "Liberal Prison Policies Endanger System, Legislative Council Told," *Baltimore News-American,* November 6, 1969.
35. "Modern Concept of Penology Will Lead to Trouble, Retiring Deputy Warden Says," *Baltimore News-American,* September 15, 1969.
36. "Prison Reformist Vows Pen Inmate 'Parliament,'" *Baltimore News-American,* April 29, 1970; Sullivan, *The Prison Reform Movement,* p. 100.
37. "An Inmate for a Day Learns How It Feels on the Inside," *Baltimore Sun,* June 27, 1970.
38. "Warden of Penitentiary Resigns," *Baltimore News-American,* February 9, 1971.
39. William Bundy *et al.* versus Joseph Cannon *et al.* United States District Court, District Maryland, 328 Federal Supplement, 165 (1971).
40. Phone conversation with retired captain Robert Burrell, December 20, 1988.
41. See Division of Correction Form 105-2a (Rev. 9/88).
42. Sullivan, *The Prison Reform Movement,* p. 92.
43. "Cannon Fired from Post as Maryland Prison Chief," *Baltimore Sun,* August 12, 1971; "Negro Deputy Prison Chief Had a Tough Background," *Baltimore News-American,* April 22, 1970.
44. "Inmates' Law Class Rejected," *Baltimore News-American,* January 7, 1972; "Inmates Claim Beatings, Sue for $500,000." *Baltimore News-American,* January 13, 1972.
45. March 20 and April 8, 1972, vertical file, Maryland Room, Enoch Pratt Free Library, Baltimore.
46. "Convicts Riot at State Pen for Six Hours," *Baltimore Sun,* July 18, 1972; charge sheet on Lascell Gallop (#108-613) on file in the Chief of Security's office, Maryland Penitentiary.
47. Charge sheet on Lascell Gallop (#108-613).
48. Interview with retired captain Clarence Davis, October 21, 1989, and charge sheet on Franklin Henson (#106-286) on file in the Chief of Security's office, Maryland Penitentiary.
49. Interview with Clarence Davis, October 21, 1989.
50. "Convicts Riot at State Pen," *Baltimore Sun,* July 18, 1972, and interview with Assistant State's Attorney General Alan D. Eason, November 21, 1989.
51. "Convicts Riot at State Pen for Six Hours," *Baltimore Sun,* July 18, 1972.
52. Ibid., and "30 Pickets Back Convicts," *Baltimore Sun,* July 18, 1972.
53. "Pen declared off limits to some officials," *Baltimore News-American,* July 21, 1972; interview with former penitentiary warden Gerald H. McClellan, December 18, 1989; and

"Pen Shakedown Reported to Yield Dozens of Weapons," *Baltimore Sun*, July 21, 1972.
54. "Prisoner Aid Plans Are Rated Failures," *Baltimore News-American*, August 9, 1972.
55. "Grand Jury Blames Riot at Penitentiary on Outsiders," *Baltimore News-American*, September 10, 1972.
56. "75 Run Rampant," *Baltimore News-American*, March 30, 1973, "Guards Free Seven Hostages, End 2-Hour Riot At Md. Pen," and "New Riot Plan Used At Pen," *Baltimore Evening Sun*, March 30, 1973.
57. "Prison Population in Maryland rises to 'intolerable' level," *Baltimore News-American*, January 3, 1973.
58. "Two Guards Injured in Prison Attack," *Baltimore News-American*, July 13, 1973; "5 Inmates Ask $17.5 Million in Pen Suit," *Baltimore News-American*, July 27, 1973; and "5 at Pen Alleging Official Brutality Lose Damage Suit," *Baltimore Sun*, September 22, 1977.
59. "State Penitentiary Metal Shop Is Closed in Bid to Cut Weapon-Making by Inmates," *Baltimore Sun*, July 14, 1973; "McClellan Quits as Warden," *Baltimore News-American*, March 29, 1974. Confirmed by interview with retired warden Gerald H. McClellan, April 28, 1995. "Two Top Prison Positions Are Filled by Appointment from State Roster," *Baltimore Sun*, October 9, 1974.
60. "Prison Population in Maryland Rises to 'intolerable' level," *Baltimore News-American*, January 3, 1973.
61. "New State Prisons Urged," *Baltimore News-American*, January 4, 1973; "'Mothballed' Troop Ship to be a Maryland Prison," *Baltimore News-American*, May 20, 1976; and "Prison Ship Opposed in Canton Area," *Baltimore News-American*, October 15, 1976.
62. "Conditions Assailed as Suit Urges Pen's Closing," *Baltimore Sun*, January 26, 1977.
63. Sullivan, *The Prison Reform Movement*, pp. 112–13.
64. William E. Lamb, Community Corrections Task Force, "Correction Centers Offer Jobs," *Maryland Division of Correction Newsletter* (September 1972): 5, and "Cannon Assails State Role," *Baltimore Sun*, September 29, 1972.
65. "State Just Meets Deadline on Prison Overcrowding," *Baltimore Sun*, October 1, 1980.
66. "The Man Hughes Wants to Run the Maryland Prison System," and "Kamka: Fewer Prisoners, Not More Prisons," *Baltimore News-American*, (clipping in Division of Corrections files, not dated, but published shortly after Kamka's appointment on January 17, 1979); "Hughes Takes Risk with New Approach to Prison Problem," *Baltimore Sun*, February 25, 1979.
67. "Pascal's Opposition to Prison Policies of Hughes Called an Obsession," *Baltimore Sun*, September 3, 1979, and "New Hughes: Firm on Prison Policy," *Baltimore News-American*, (clipping in Division of Corrections files undated, but content suggests publication in fall of 1979).
68. "3 Charged in City Murder," *Baltimore Sun*, September 5, 1979; "Kamka, Before He Quit, Resumed Work-Release," *Baltimore News-American*, April 2, 1981.
69. "In Maryland, a Conflict Over Prison Philosophies," *New York Times*, September 25, 1982; Sullivan, *The Prison Reform Movement*, chapter seven, "Reaction and Repression: The 1980s."

Book Reviews

Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake & Lowcountry. By Philip Morgan. (Chapel Hill: University of North Carolina Press for the Omohundro Institute of Early American History and Culture, 1998. 703 pages. Illustrations, tables, abbreviations, index. $49.95.)

Philip Morgan' s *Slave Counterpoint* is both a comparative and multilayered structural history of the myriad and fundamental ways that slavery determined the shape of the Chesapeake and Low Country regions during the eighteenth century. In as much as this is a study about place, Morgan's "tome" (as he aptly describes it) is also a study about people, namely, "slaves." Self-consciously critical, Morgan states in the very first paragraph of the Introduction: "I have tried to treat slaves, not as slaves political or as slaves military, but as human beings. Accordingly, I have explored the history of slaves in their many roles. . . . I have tried to tell their story as comprehensively as possible." Totaling 703 pages, this book is undoubtedly "comprehensive"; in fact, it is quite encyclopedic in its range of topics, interdisciplinary in its choice of both archival and secondary sources, and narrative in its presentation of multiple examples of diverse evidentiary material. Indeed, no student of Chesapeake and Low Country history, early American slavery and plantation societies, European internationalization, or even of the modern global culture, can afford not to read this book. A reader will manage to go the full length of Morgan's text without losing sight of the author's aim, because Morgan repeatedly focuses on "five sets of 'independent' forces" which "interacted to produce two very different slave societies." Very early in the text Morgan identifies these most influential forces as: 1)staple crops; 2) the ecological systems ["including everything from land use to material conditions, from climate to physical landscape"] and settlement patterns; 3) "the rate, source, and distribution of the two regions' slave supply"; 4) "the morphology of the two slave populations"; and 5) the lifestyle of planters (xix).

Although Morgan has organized the bulk of the book into three parts, he has written a total of twelve distinct sections, which include an introduction, prelude, ten topical chapters, and a coda. Each part is thematically structured to realize an implicit dimension in Morgan's thesis, that is, the development of "culture." Without claiming originality, Morgan says, "I define culture—as the pattern of meanings and ideas that are shared by the members of a society and that guide behavior. Culture is both behavior or systems of action and ideals or conceptual models for action" (xx). In the case of slaves, the book bears witness: in Part One to the every day life of the slave experience, such as the housing,

dress, diet, and especially work—in the fields and with a skill; Part Two covers the scope and complexity of social, political, economic, and personal contacts between whites and blacks. Part Three treats the formation of a black national subculture. Their creation of family and kin ties, linguistic systems of communication, means of enjoyment, and religious practices—all speak symbolically and literally to the firm presence of an interior world of blacks, and also to the way that blacks contribute "in the making of their own history" in these two regions.

After the introductory overview (as noted above), Morgan provides a "Prelude: Two Infant Slave Societies." This section sets in motion the comparative strategy Morgan employs throughout his book. "By the late seventeenth century, Virginia had a plantation economy in search of a labor force, whereas South Carolina had a labor force in search of a plantation economy." The Chesapeake (which included Virginia, Maryland and northern North Carolina) had a tobacco economy and began importing an African labor pool once the white indentured servant population dwindled. In the Low Country (which included South Carolina, Georgia, East Florida, and southern North Carolina) "settlement and black slavery went hand in hand" from the region's inception. In spite of these differences, the region's initial features were similar: most of the first blacks were seasoned slaves who came from the West Indies and not directly from Africa, most spoke English, formed families and had children, and spent much time around whites at work and at play. By the end of the seventeenth century, these regions diverged: Virginia and Maryland started importing laborers directly from Africa, and this would alter the existing demographic balance there; planters began to diversify their agriculture; the flexibility of race relations began to harden as the slave labor pool grew; and an assimilationist slave culture started to take root. Because South Carolina never had a considerable white indentured population, had never been an open slave society, and had fewer nonslaveholding whites than the Chesapeake, this area did not undergo the dramatic population changes and racially cast experiences observed in the Chesapeake. On a cultural level, the density of the slave population prevented the anchoring of an assimilationist slave culture in the Low Country. Before moving to the main body of the book, Morgan notes that his early comparison of these two regions is not based on clock and calendar time but on three types of historical time: first, the "youthfulness" of the two societies; second, "precedence"—Virginia was founded first; and third, by the "internal rhythms" of each region. The latter instance refers to the fact that South Carolina became a fully developed plantation society much more quickly than Virginia.

Part One consists of four chapters. Chapter one extends Morgan's earlier treatment of differences between the two regions at their inception. Those dif-

ferences are seen in landscape, climate, staple crops, land ownership, agricultural tools and practices, modes of transportation, and African ethnicity and regional origin of the slaves as well as in the rate of importation and age and sex distribution of the Africans. Not only are Africans presented as laborers, but also as people whose diets affected the composition of the slave societies in each region. Chapter two presents regional differences in the "Material Life," specifically housing, food, and clothing. Though generally poor, the material welfare of slaves was determined by the economic status of the planters, or by the ingenuity of some slaves to cultivate their own gardens (as in the Low Country), or hunt and fish to supplement rations (as in the Chesapeake). Over time, masters improved conditions having realized that better diets, board, and clothes would lead to better health and, hence, better laborers. In Chapter three, the rhythm of the two regions differs due to the pace, intensity and organization of labor production. Two distinct crops per region—rice and indigo in South Carolina, and tobacco and wheat in Virginia, two distinct processes—resulted in two very different economies. Yet only with the cultivation of rice do we see slaves gaining from their labor, because this process required little supervision and regimentation, and few techniques. For Africans, this meant some degree of control over their workday; once they completed tasks in the Low Country, they had time for themselves. From fieldwork, we move to "skilled work" in Chapter four. As the economies evolved, some slaves were selected and permitted to learn skills to perform such tasks in woodwork (such as constructing barrels, building fences), artisanal crafts (shoemaking, tanning, weaving, tailoring, for example), and domestic service. This section also mentions slaves who received supervisory positions as drivers and foremen, and slaves who became highly specialized in industry. Growth in skilled labor accompanied the growth in urban areas in both regions; and for some slaves, their skills resulted in their monopoly in the fishing industry and the markets for baked goods and produce in South Carolina.

Part Two, which consists of three topical chapters, begins the book's more direct coverage of the groups of people that shaped these plantation societies. Chapter five is the first to illuminate the complexity of the interactions and relationships between blacks and whites, masters and slaves, and plain folk and slaves. Master-slave relationships were less personal and strident in the Low Country than in the Chesapeake. But relationships between plain folk and slaves were closer because they identified in terms of class status—both being subordinate and powerless to planters. Still much of this discussion is quite standard in its treatment of the slave patriarch (who eventually created a major wedge between plain folk and blacks by erecting a legal system that gave advantages to poor whites at the expense of blacks), and in its accounting of the innumerable instances of brutality slaves endured. Chapter six discusses the way economic

transactions shaped relationships between the races. Transactions were as simple as entrusting a slave to deliver a message, to guard expensive ships and valuable cargo, or to supervise a labor pool. In some cases more complex trade relations between masters and slaves allowed bondsmen the opportunity to earn money and acquire some items of personal property (including livestock and luxuries, like linens, cotton, glass and china). Chapter seven, like Chapter five, also rings chords of familiarity in its narration of the violence, sexual relations, and recreational activities that existed in encounters between whites and blacks. "As much as blacks and whites came together, . . . they remained apart. Truces punctuated the open and violent struggles; demographic and cultural restraints inhibited sex; recreation brought blacks and whites together intermittently; and barriers to evangelical access to for slaves were formidable. Boundaries were fluid and imprecise, but boundaries they were." (437). And the wedge between blacks and whites was greater in the Low Country than in the Chesapeake. Part Three is the most informative chapter for students of the African Atlantic Diaspora. Three chapters are listed under the heading "The Black World." The first, Chapter eight explains the way blacks realized their own distinct identities and communities because they were only partly visible to whites. "The invisibility accorded slaves was one of the few advantages they possessed as they attempted to order their lives. They could develop social ties to some extent apart from, and largely unknown to, their owners" (442). Morgan contends that in the New World communities the slaves created "five key social relationships hitherto unexplored: encounters among Africans, between creoles and Africans, among creoles, between blacks and indians, and between enslaved and free blacks." Morgan adds that identification of these relationships demonstrates "that African Americans were not 'undifferentiated brown stuff' and, more ambitiously, that critical networks of their social relations can be uncovered" (443). In Chapter nine, Morgan addresses further the interior world of slaves by examining their determination to create stable families in spite of legal sanctions against slave marriages. Over time, some masters would see the utility of 'immobile' slave families.

Chapter nine also illustrates why it took so long for Morgan to complete a book of this magnitude. In this chapter we are first confronted with the fact that the very notion "slave family" is definitionally problematic, and next with the fact that the sources one uses to discuss this subject are not obvious. Morgan states, "the historianof the colonial slave family must rely largely on cross-sectional information in which family and household structures can be glimpsed at particular times. Inventories of estate and less frequently, plantation listings are the most common sources. . . . This information provides a fairly wide coverage of the slave population, thereby minimizing a major drawback of generational records—their sheer atypicality" (499). Once he overcame this hurdle, Morgan was able to present the different familial experiences of bonded people in the

Chesapeake and the Low Country. The very last chapter, appropriately titled "African American Cultures " uncovers "the foundations of a single ethnic subculture." This chapter focuses on the "major symbolic dimensions of slave life—language, play, and religion" and "additional differences in the regional cultures." But, Morgan adds, "the focus on interior beliefs" reveals "a number of shared values" between the regions (559–60). In fact, Morgan concludes in the last section entitled "Coda" that "even as slaves forged a national subculture, they retained allegiance to distinct regional cultures" (672).

Philip Morgan needs no excuses for the time it took to produce *Slave Counterpoint.* Based on exacting and time-consuming archival and secondary research (all listed in tables or the index) this work was financially facilitated by the several prestigious grants and fellowships, which Morgan acknowledges. Morgan supports his themes with previously neglected or ignored sources, but rarely does he reach new conclusions; therefore, the book could be considerably reduced without compromising its scope or intent. On the other hand, the sheer tonnage of the less familiar evidence that Morgan includes places a referential value on this book; indeed it is invaluable as a resource on the Chesapeake and Low Country regions of the eighteenth century.

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Tidewater Triumph: The Development and Worldwide Success of the Chesapeake Bay Pilot Schooner. By Geoffrey M. Footner. (Mystic, Conn.: Mystic Seaport Museum, Inc., 1998. 305 pp. Notes, appendix, glossary, index. $39.95.)

The study of Baltimore clippers and privateering is very well-trodden turf, but Geoffrey Footner has found some interesting new sources on the design of these famed fast schooners of late eighteenth and early nineteenth century Chesapeake Bay. Jerome R. Garitee's *The Republic's Private Navy* (Middletown, Conn.: Mystic Seaport with Wesleyan University Press, 1977) remains the authoritative work on privateering out of Baltimore and on the investors, sailors, and shipbuilders who participated in this trade during the War of 1812. The design of the fast schooners and the influence of this design on naval architecture elsewhere were explored by Howard I. Chapelle in his pioneering work, *The Baltimore Clipper* (Salem, Mass: Marine Research Society, 1930). More recently naval architect Tom Gillmer in *Pride of Baltimore: The Story of the Baltimore Clipper, 1800–1990* (Camden, Maine: International Marine, 1992) has laid out the subject in more accessible form. Footner specifically uses the latter two as points of departure for his book.

The familiar term "Baltimore Clipper" was not coined until these fast schooners had been sailing for several decades, as Footner points out, so he refers to

them throughout his work as pilot schooners or pilot-boat schooners. Builders of these boats often described these fast schooners as "pilot-boat built" (also "Virginia-built" and "privateer-built") on customs house documents in this period, hence Footner's name for the Baltimore clipper. However, calling them pilot schooners is not always appropriate and often confuses the vessels that functioned to deliver and receive pilots with the fast commercial schooners that bore a similar design but a different purpose. The common thread among the vessels in *Tidewater Triumph is* a sharp hull, implying a deep vee shape in cross section and a fine bow and stern at the waterline, both of which contribute to a vessel's potential speed.

Footner questions Chapelle's thesis that Bermuda sloops with high deadrise (deep vee) hulls that traded to the Chesapeake in the eighteenth century may have planted the idea for this design among Chesapeake shipbuilders. Instead he asserts the design was home grown on the Chesapeake without outside influence. This point seems to be supported more by patriotic pride than evidence or cogent argument. Boatbuilders, customarily a conservative lot, devised the sharp schooner for use by pilots. Speed was of the essence to pilots who procured their business by being the first to meet an incoming ship on the Chesapeake, to which they provided local knowledge of winds, tides, and shoals, for a fee. Pilots demanded boats that sacrificed cargo capacity for speed, and the fast pilot boat schooner was born. This reader was curious about the author's insistence on the c. 1740 development of these "pilot schooners," oddly connected to the grain trade, since the earliest discovered set of lines for a Chesapeake schooner with this shape was drawn in 1794.

The earliest Chesapeake sharp-built schooners were relatively small, and a larger class of fast schooner appeared in the 1790s when war between Britain and France increased the hazards to American shipping, particularly trade to the Caribbean. War at sea, piracy, and naval blockades put a premium on fast schooners that could potentially escape from hostile armed vessels. In more peaceful times, slower, higher capacity vessels were more economical, except for cargoes that spoiled quickly, like fruit.

Footner explains that although sharp schooners were first used by pilots, who needed speedy vessels, in the late eighteenth and early nineteenth century they were used for other purposes. In both the American Revolution and the War of 1812, some merchant trading vessels carried armament for defense and a letter of marque licensing them to take enemy prizes at sea, should the opportunity arise. Privateers carried such a license, along with extra crew and armament for the specific purpose of capturing enemy merchant vessels. The U.S. Navy built or purchased several sharp schooners including the renowned *Enterprize,* and other Baltimore schooners found their way into the French and British navies, either through purchase or capture. Foreign naval archives conse-

quently provide most of the surviving measured drawings that document the model of Baltimore-built schooners, many of which are reproduced for the first time in *Tidewater Triumph.*

Footner has made a valuable contribution to the field in reproducing nearly forty contemporary measured drawings documenting the model of Chesapeake pilot schooners and related vessels, many of which have not been published before. In some cases, the lines reproduced poorly and are difficult to read. Also included are photographs of vessels, models, paintings, and sketches representing these sharp schooners, which are useful in understanding the beauty and grace of these watercraft with their large spread of sail. An appendix listing the 590 pungies Footner reports he found would have added to the value of the book.

Unfortunately, the book is flawed in several respects. Footner's retelling of the now familiar story of the schooner *Amistad* and the legal proceedings following the slave mutiny that took place on her decks does not contribute to the author's thesis. Neither does the light treatment of the Chesapeake's oyster wars help. In places, Footner finds more evidence in a painting than seems to be there, as in his analysis of the *Spencer Hall* overmantel (40). At other times he misses details, like the bonnet in the foresail and forestaysail of the schooner *Patapsco* (116, 118). Although Footner's subject is the fast, sharp, pilot schooner, the reader is sometimes unsure whether the vessel under discussion is instead a more burdensome "full-built" vessel (75). Footner's misinterpretations of the measured drawings of vessels, his most important source material, undermine much of his work. In one example, he misreads the plan of *Fair Rosamond*, identifying a clipper bow where there is an older style naval head (155, 156). Of greater concern is his repeated comparison and evaluation of schooners based only on the register length, breadth, and depth of hold. Not only does the author speak to the sharpness of the hull and sailing performance from these inadequate data, but he improperly attempts to analyze the stability of vessels from them (94, 168, 180, 246).

It appears that Footner uses the thesis of Chapelle's work as a point of departure for his book. The author is quick to castigate Chapelle and other writers for errors of interpretation or fact on the subject of Baltimore clippers, but *Tidewater Triumph* has many of its own. Although it contains much new valuable source material, *Tidewater Triumph* does not supplant the existing scholarship on the subject.

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Maryland, A New Guide to the Old Line State. By Earl Arnette, Robert J. Brugger and Edward C. Papenfuse. (Baltimore: Johns Hopkins University Press, 1999, 613 pages, index. $45.00 cloth; $22.50 paper.)

Travel guides are an odd genre. While they capture neither the essence of the land nor the soul of its people, they are nonetheless beloved by tourists and armchair explorers. Sometimes they unlock part of a region's mystery and fascinate. Sometimes the guides with their facile explanations and egregious omissions only antagonize the reader. Thus like most serious readers of travel guides, this reader finds much to like and much to grumble about in this recent incarnation of the old WPA touring book, *Maryland, A Guide to the Old Line State.*

First, this is a well-written book of crisp and businesslike tours of Maryland assembled with the full knowledge that many who use this guide may be exploring the Old Line State for the first time. The old New Deal era format of the guide has been reorganized around thematic constructs and there is a unity to the guide lacking in earlier editions. This new version focuses more on the heritage of minorities and women than previously. The authors also include walking tours of Maryland communities. Further, there is more than enough Maryland Civil War lore in this volume for contented weekend tourist forays into the lost world of the Blue and the Gray. The book contains information on Maryland travel Web sites as well, specifically the highly useful "Electronic Maryland" site.

Second, the new Maryland guide has a strong suburban focus. Readers of the section on Central Maryland, by far the strongest section of the book, may learn more about Baltimore and the heritage of the great suburban hinterland than they want to know. The rest of the state does not fare as well. A lot of western Maryland, excepting Cumberland, is treated dismissively by these writers. Readers from Frostburg may feel slighted. And aside from a good capsule essay on Crisfield, coverage of Maryland's Eastern Shore is sketchy and uneven. Descriptions of Maryland's natural wonders are superficial and those interested in the beauties of the Maryland landscape are better served by the *Smithsonian Guide to Natural America: Atlantic Coast to Blue Ridge.* Parts of the new Maryland guide convey the feeling that the region described was more read about than actually traveled and experienced first hand.

The new edition does not contain the helpful "Maryland at A Glance" and "State Symbols" that introduced earlier editions of the book. Thus a reader of this new work cannot easily learn at a glance why Maryland is called "The Old Line State." The new edition is larger and more scholarly than other editions. Alas, it does not fit easily into the glove box of a car. It is more library book than the old motoring guide of yesteryear. Given the richness of books about Maryland, the section of books on "Further Reading and Research" on page 607 is an embarrassment to the writers.

In Maryland we prize people, community, and landscape not so much for their harmony or beauty, or they way they fit together. We treasure them because they are part of the vibrant often chaotic dimension of our lives. The problem with *Maryland, A New Guide to the Old Line State* is that it does not address that dimension. The book is too disassociated from the present to enable us to see the romance and glory of our complex and often schizoid state.

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The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century New York. By Patricia Cline Cohen. (New York: Alfred A. Knopf, 1998. 440 pages. Notes, index. $27.50.)

In the early morning hours of April 10, 1836, a murder was committed in a New York City brothel that would capture national attention. The trial that followed created a sensation and was one of this country's first great tabloid-driven media events. Helen Jewett, an upscale twenty-three-year-old prostitute, was struck repeatedly in the head with a hatchet while she slept by an assailant who then set her bed afire hoping to conceal the murder. The fire was discovered and put out before it did substantial damage to either Jewett's body or the brothel she shared with eight other women. The testimony of those women led police to a surprising suspect. Richard Robinson, the son of a prominent and well-to-do Connecticut family, was charged with murder the following afternoon. According to contemporary accounts, Robinson remained unruffled when he was taken back to the scene of the crime to view Jewett's body, reportedly telling one onlooker, "Do you think I would blast my brilliant prospects by so ridiculous an act—I am a young man of only nineteen years yesterday" (12). Robinson's youth, his innocent boyish appearance, and his respectable family background all made it difficult to believe he was capable of such a brutal and calculated crime. But, if Robinson elicited sympathy from journalists and members of the general public, Jewett was also a compelling figure, even if she was a morally compromised woman. Four days after the murder the *New York Herald* opined that Jewett "was a remarkable character," who had "come to a remarkable end" (16).

In this engrossing and thorough treatment of Jewett's murder and its aftermath, Patricia Cline Cohen explores the reasons Jewett and Robinson's personal drama so riveted the nation and became the most covered and discussed trial of its century. Cohen's principal methodology is determined and skillful historical sleuthing. In addition to collecting what seems to be every conceivable scrap of information about the principals, Cohen has done a remarkable job of placing the murder and Robinson's trial in a conceptually rich and vividly rendered historical context.

While prostitutes are usually obscure historical personages, Cohen is able to trace Jewett to her impoverished servant girl roots in Maine. With the same tenacity, she traces Robinson throughout his life, including the period following the trial, even though he sought to put the episode behind him by changing his name and moving to Texas. Cohen is similarly thorough in her portrayal of figures who played supporting roles in this real life drama.

The author's skill in exhuming the factual details of the case is matched by her dogged pursuit of analytical insights. Her extensive treatment of the journalistic and literary aspects of the case are the most obvious examples. Cohen has read and analyzed contemporary press accounts from an impressive range of sources and she argues convincingly that penny press organs "transformed the Jewett murder from a local affair to a nationwide sensation" (23). She gives equal attention to the significance of Helen's own literary pursuits, both as an avid reader and letter writer. In a particularly astute chapter titled "Epistolary Enticement," Cohen demonstrates how Jewett's letters to clients, including Robinson, lay squarely at the center of her seduction strategies.

On occasion, the author's search for meaning in the urban settings that Jewett and Robinson inhabited lead her to indulge in unconvincing speculation. For instance, in a long exegesis on possible readings of the John Vanderlyn painting, *The Death of Jane McCrea,* a version of which hung in Jewett's brothel, Cohen engages in wholesale speculation about the different ways in which brothel residents and clients might have interpreted the painting. Her suggestions about how nineteenth-century men and women possibly responded to Vanderlyn's depiction of the scalping of Jane McCrea are thought-provoking, but they seem to be informed much more by a twentieth-century understanding of power relations between the sexes than by the eyes of early nineteenth-century observers. Even though Cohen occasionally transports contemporary ideas and attitudes about sexuality into the past, her awareness of the class and gender aspects of her topic are generally handled judiciously, and she convincingly demonstrates how such power disparities played a role in the conduct, press coverage, outcome, and aftermath of Robinson's trial.

Two of the five review selections on the book's cover make comparisons with the O. J. Simpson trial. While there are echoes of one in the other, anyone searching for direct parallels is likely to be disappointed. Cohen's vast research and balanced treatment of all the actors involved in the case is facilitated by the passage of time and the perspective that comes with it. No treatment of the Simpson trial written during our lifetime is likely to bring to bear the kind of balance that Cohen has brought to the tragic events surrounding Jewett's murder. From a distance, Cohen is able to fit this scandal into a well-delineated historical context.

The Murder of Helen Jewett is a compelling mix of forms, including solid historical narrative and page-turning drama. It is also a complicated and dense

account of a love affair gone terribly wrong, a tale of American sexual mores in transition, and the saga of a burgeoning penny press seeking to establish its place in American journalism. Finally, it is the story of a great many individuals who struggled to deal with their connections to an intelligent young woman who became a prostitute, and a well-heeled young man who faced the accusation of her gory murder. Cohen, as alchemist, has spun the dross of a very dark episode into a solid and enlightening tale of a tragedy between two young people and the effect it had on nineteenth-century American culture.

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Honor's Voice. The Transformation of Abraham Lincoln. By Douglas L. Wilson. (New York: Alfred A. Knopf, 1998. 383pp. Notes, index. $30.00.)

In 1831 when Abraham Lincoln arrived in the frontier village of New Salem he was little more than an unskilled refugee from his father's farm, yet by 1842 he was the partner of Springfield's foremost lawyer, the husband of an aristocratic wife and a leading Illinois politician on his way to Washington.

The romanticizing of Lincoln's early life has all but consigned it to the realm of fiction and folklore, and has encouraged serious scholars to shift their focus to his presidential years. To redress this imbalance, Douglas L. Wilson, director of Jefferson Studies at Monticello, has undertaken to examine the mysterious process whereby Lincoln emerged as a man of consequence.

Coming to his interest in Lincoln through affinities he noticed between Lincoln and Jefferson, Wilson observes that William H. Herndon's extensive, albeit disparaged, collection of testimony (*Herndon's Lincoln*, 3 volumes, Chicago: Belford, Clarke, 1889) by people who knew Lincoln is a kind of biographical treasure trove unavailable to Jefferson scholars or indeed to researchers of any historical figure before the twentieth century. As Wilson reminds us, Herndon's vast effort may well be the first oral history project in American history.

In 1927 Paul M. Angle launched his scholarly career by claiming that Herndon was a dubious researcher who, relying on the hazy reminiscences of informants who wished to be forever associated with Abraham Lincoln, suppressed conflicting evidence. Angle's destruction of Herndon's credibility was so pervasive that few students of Lincoln have since bothered to consult the daunting raw data of the Herndon-Weik Collection of the Library of Congress.

In a series of essays entitled *Lincoln Before Washington* (Urbana and Chicago: University of Illinois Press, 1997), Wilson challenged the unreliability of Herndon, and followed it a year later with *Honor's Voice* where he examines Lincoln's rise to fame in terms of his search for a vocation, his relations with women, his venture into politics, and his courtship and marriage.

Wilson makes much of Lincoln's abandonment of Jacksonian ideals in 1832 to become a Whig in a preponderantly pro-Jackson community but beyond recognizing that political issues of the day were primarily local does not investigate the causes of his turnabout or why Henry Clay became Lincoln's "beau ideal of a statesman." A shared enthusiasm for Whig politics seems to have brought Abraham Lincoln and Mary Todd together, and it may also be significant that as soon as the 1840 presidential election was over their courtship ended.

For Wilson the key to Lincoln's disillusion with Mary Todd is his infatuation with Mary's fellow houseguest in Springfield, Matilda Edwards (who is overlooked in recent biographies of Lincoln and Mary Todd). Realizing that he did not love Mary, he was persuaded by his friend Joshua Speed to confront her. He did so and when she piteously blamed herself, he became obsessed with her grief. So on November 4, 1842, to allay his guilt and to preserve his honor as well as to put an end to the vexing business of courtship, he married her.

Lincoln attributed his awkwardness with women (he seemed unable to "market" himself romantically) to dreaming "dreams of Elysium" (256) and recommended as an antidote embracing the very reality that failed to measure up to the dreams. He further advised (in a letter to Speed) seeking the company of friends and avoiding idleness in order to divert the mind and to "give it occasional rest from that intensity of thought, which will some times wear the sweetest idea thread-bare" (251).

Beyond validating Lincoln's characteristic benevolence to men and animals, Wilson suggests that he interpreted it as a force exerted upon him rather than originating within him. Of his remarkable solicitude to his intimate friend Joshua Speed during the ordeal of the latter's courtship, Lincoln claimed that he "never had the power to withhold" (307) sympathy from his friend. Furthermore, Lincoln seems to have suffered unduly when he was unable to implement his compassion, as when he glimpsed twelve chained slaves on a boat on the Ohio River, "strung together precisely like so many fish upon a trot-line" (306). Years later, in 1855, Lincoln reminded Speed, who was with him at the time on the Ohio River, that the sight of those slaves was a "continual torment" to him.

To demonstrate that Lincoln was no more than human, Herndon once stated that Lincoln "was not always . . . *absolutely* Honest" (315). The moniker "Honest Abe" apparently dates from his New Salem days when he was an impartial judge at horse races, and Wilson speculates that what probably even more impressed his neighbors—largely pioneers attracted by the chance to acquire land and to make money—was his utter lack of greed. Thus, while the incorruptible Lincoln could not be bought or bribed, in his political mode he was, on the other hand, quite capable of splitting hairs and sidestepping issues.

During these twelve years, Lincoln's personal demeanor became more reserved and melancholy. He learned to exercise a tighter control on his emotions

and to represent his religious skepticism in a discreetly more favorable light. And while he continued to be generally sociable, he never again allowed anyone to be as close to him as Joshua Speed.

Any revisionist study is bound to be spotty, and some readers may be irritated by gaps and inequities of treatment here. The author devotes more attention, for example, to the effect on Lincoln of Lord Byron's poetry than of Henry Clay's politics and seems more dedicated to vindicating Herndon than to pursuing the facts beyond Herndon. Having assessed Herndon's recollections of Lincoln's admission that Nancy Hanks was illegitimate as meeting "virtually all the cautionary criteria" (13), the author lets the matter drop without considering evidence to the contrary produced by such Hanks family researchers as Louis A. Warren and Ralph E. Pearson.

A more favorable revision of Herndon is greatly warranted and Douglas L. Wilson has risen to the occasion commendably. He has a remarkable talent for extracting from anecdotal evidence the bare bones with which he fashions intriguing and convincing hypotheses. And while the casual reader may find some of the transcribed documentation with its erratic punctuation and idiosyncratic spelling hard to follow, Wilson's spadework and commentary are an insightful contribution to Lincoln scholarship and may well augur among Lincoln researchers a refurbishing of Herndon's reputation.

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Harnessing the Power of Motherhood: The National Florence Crittenton Mission, 1883–1925. By Katherine Aiken. (Knoxville: The University of Tennessee Press, 1998. 290 pages, 16 illustrations, appendix, bibliography, index, notes.)

Harnessing the Power of Motherhood examines the National Florence Crittenton Mission (NFCM), a powerful Progressive Era organization that has in the main been overlooked by historians. The NFCM, originally a small "chain" of rescue missions aimed primarily at prostitutes, was founded by evangelical medicine wholesaler Charles Crittenton. Chartered by Congress in 1893 the NFCM enjoyed great success under the leadership of Kate Waller Barrett. By 1906 the NFCM had expanded into almost seventy cities and Barrett was well known nationally. However, Kate Waller Barrett was not the stereotypical Progressive Era reformer. She was a Southerner, the daughter of a Confederate officer, and was both a professional, with a medical degree from the Women's Medical College of Georgia, and a mother, with six children.

Aiken convincingly demonstrates that Barrett was successful at shaping the philosophy and the tactics of the NFCM. As general supervisor, Barrett shifted the primary clientele of the organization from prostitutes to unwed mothers.

The "missions" became "homes" and the efforts of the Crittenton workers became focused on saving "fallen" women by exalting their status as mothers. The NFCM approach recognized that in order to support a child many single mothers would need to work. To that end the organization provided training and placement for their clients primarily, though not exclusively, in positions as domestic servants. Some homes even offered child care for working mothers, and a few had more elaborate training programs that offered the possibility of training in a "profession," such as nursing or teaching. At a time when most reformers, in particular those associated with the mother's pension movements of the 1910s, did not think a working mother could be a good mother, Kate Waller Barrett and the women of the NFCM clearly felt otherwise.

While suggesting that the NFCM "defies characterization" (xvi), Aiken places the organization firmly in the mainstream of Progressive reform. This argument, while certainly more nuanced, is not very different from the interpretation offered in the author's dissertation some twenty years ago (Katherine Aiken, "The National Florence Crittenton Mission, 1883–1925: A Case Study in Progressive Era Reform," Ph.D. diss., Washington State University, 1980). Needless to say, the past two decades have witnessed a great deal of scholarship that has greatly refined our image of Progressive Era women's reform. Unfortunately, Aiken fails to systematically address this scholarship. One example that illustrates some of the problems with this strategy is visible in Aiken's application of the work of Robyn Muncy to the NFCM (Robyn Muncy, *Creating a Female Dominion in American Reform, 1890–1935,* New York: Oxford University Press, 1991).

Aiken identifies Kate Waller Barrett and the NFCM as "pioneers" in the emerging "Female Dominion" described by Robyn Muncy (xix, 68, 83). Clearly, the settlement workers and the NFCM women were on occasion interested in some (though clearly not all) of the same clients and at times some of their strategies did overlap. However, there are fundamental differences that cannot be ignored. The settlement house workers saw themselves as hard science trained professionals. They were channeled into social work, at times reluctantly, by the constraints imposed by gender. Barrett and the women of the NFCM saw themselves as evangelicals, albeit evangelicals who took advantage of the efficiency promised by some formalized training. They depended on essentialist notions of the gender, notions that overrode class, to formulate a strategy based on the reformative power of motherhood.

Aiken argues that the approach of Kate Waller Barrett and the NFCM was remarkably, if only temporarily, successful. "By 1920," she claims, "the progressive child welfare establishment had converted to Barrett's viewpoint" (80) In part she does this by sidestepping the work of Regina Kunzel, who stresses the conflict between the evangelicals and social workers in the Crittenton homes

(Regina Kunzel, *Fallen Women, Problem Girls: Unmarried Mothers and the Professionalization of Social Work, 1890* [1945, repr. New Haven: Yale University Press, 1993]). She also emphasizes specific things as central to the Crittenton approach—licensing hospitals, naming an illegitimate child after the father, and extending inheritance, but not the truly radical strategies of the NFCM, such as the recognition of the necessity of single mothers wage labor, child care, and the cross-class notion of womanhood.

Criticisms aside, *Harnessing the Power of Motherhood* is an engaging read. Katherine Aiken clearly has a great deal of affection for Kate Waller Barrett and the women of the NFCM. This book reminds us that there were other possible paths that could have led to the emergence of a very different welfare state, and it begins to illuminate areas of Progressive Era women's reform that have not yet been adequately explored.

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Lee and His Generals in War and Memory. By Gary W. Gallagher. (Baton Rouge: Louisiana University Press, 1998. 314 pp. Illustrations, maps, index. $27.95.)

In this book Gary Gallagher sandwiches eleven of his previously published articles on command-centered Civil War military history between two new essays. It is broken into four parts. Part One deals with Robert E. Lee himself, wherein Gallagher evaluates Lee's performance in battle as compared to his legendary reputation. Part Two does the same thing with several of his subordinate generals: Stonewall Jackson, John Magruder, James Longstreet, A. P. Hill, Richard Ewell, and Jubal Early. Part Three details particular controversies within Lost Cause historiography: the long debate over Lee's and Longstreet's respective reputations; and the disputed authorship of alleged wartime letters from George Pickett to his wife.

Part Four's essays are unified by a stirring call to academic historians to abandon their patronizing disdain for the concerns of Civil War "buffs," and to see Ken Burns's series *The Civil War* and battle sites as opportunities to bridge academic and popular history, as well as military and social and political history. It should be said that Gallagher practices this particular sermon in this book. It is laudably devoid of academic jargon, and is written in prose that should appeal to all readers with an interest in the topic.

Readers with an interest in Maryland history will be drawn to his excellent essay on Lee's generalship during the 1862 Maryland campaign which climaxed with the battle at Antietam. In this chapter Gallagher considers not only Lee's military situation, but the larger political and diplomatic context within which the armies fought this campaign.

General Lee receives generally favorable treatment in this book. Gallagher

does not fully subscribe to the Lost Cause version of Lee as a flawless commander, but he also distances himself from revisionist attacks on Lee's generalship from the late 1950s to the present. Gallagher's Lee is "aggressive by nature," and while his aggressiveness sometimes incurred great cost for his army (such as at Gettysburg), "his preference for dictating the action rather than reacting to the enemy's moves suited his people's temperament" (10). This does ring true, for the author repeatedly demonstrates that the favor of the Southern people rested on their most forceful commanders such as Jackson and Lee.

Gallagher asserts quite plausibly that Lee's victories with the Army of Northern Virginia were crucial to Confederate morale, and became only more so as defeats piled up in the western theater. Yet this book's assessment of Confederate resolve pays no attention to other factors at play. It is only in a footnote that Gallagher dismisses the scholarship which points to "internal dissension and disaffection related to fissures along class, race, and gender lines." He does so merely by referring to his other work on this point, and inexplicably concluding that such a discussion "is beyond the scope of this essay" (20). I have no doubt that the remaining popular will to continue the war in 1864 and 1865 can in large part be attributed to Lee's army's aura of invincibility. But this account unduly minimizes other forces bearing on morale and this book does not explain the desertions from Lee's army in those years, not to mention other apparent signs of internal discord.

In his treatment of memory, Gallagher puts military figures alone on stage, crowding out the social and political settings in which the war has been remembered. Especially in Part Two, he ably assesses Confederate generals militarily, and demonstrates well how legend and infamy are sometimes quite undeserved based on the strict military record. But then he often fails to take the next step, to proceed from description of this phenomenon to interpretation of it, by asking *why* such distortions of the record have persisted. Or when he does ask this question, his analysis is limited to the personal preferences and quarrels of the generals involved. These chapters have great descriptive value on one level, but miss an interpretive opportunity. Because of this the book generally fails to make larger historical points, to tell us much about Southerners or about Americans.

Book reviewers are justly notorious for lecturing the author in question on the book they themselves would have written, and despite evidence to the contrary this has not been my primary intent. Rather, this book's real limitations must be pointed out along with its strengths. Those who are looking for a collection of Gallagher's essays on purely military history will be satisfied with this book. Those who are interested in the larger social, cultural, and political significance of the war in "memory" are advised to look elsewhere.

Matthew Mason
University of Maryland College Park

Books in Brief

A comprehensive history of the development of the shipping industry from the early nineteenth century to the formation of today's transport conglomerates, *Where Rails Meet the Sea: America's Connections Between Ships & Trains*, by Michael Krieger, is generously illustrated with vintage photographs of famous trains, ships, and ports, as well as reproductions of paintings, brochures, and shipping posters. The book describes how steamships and locomotives helped shape the history of North America, and would appeal not only to railroad buffs, but general history enthusiasts as well.

Friedman/Fairfax Publishers, $24.98

Gene Williamson's *Guns on the Chesapeake: The Winning of America's Independence* focuses on Maryland and Virginia communities along the Chesapeake Bay during the Revolutionary War. The chronicle begins in 1763 and ends twenty years later, with the Battle of the Barges, described by the author as "the bloodiest naval battle of the Revolutionary War to take place in Chesapeake Bay." The narrative is detailed but unencumbered by footnotes. A bibliography is appended.

Heritage Books, Inc., $27.00

Frederick's Legacy: The Art of Helen L. Smith portrays the work of Frederick, Maryland native Helen L. Smith (1894–1997). Smith trained at the Maryland Institute of Art, completing formal studies in watercolor, oils, and traditional pen and ink. Her prolific output included numerous illustrations for newspapers, posters, and books, and thousands of silhouettes of children and coats of arms. In addition to two-dimensional design, Smith also produced richly painted furniture, clocks, serving trays, and canisters. The book features more than eighty color illustrations, portraying the faces and the landscape of Frederick county.

The Helen L. Smith Book and Studio Project Committee, $24.95

Letters from Annapolis: Midshipmen Write Home, 1848–1969 features collections of letters from Naval Academy midshipmen from all over the United States, many of whom became career naval officers. The letters are edited by Anne Marie Drew, and they portray academy life and routine from 1848 to 1969. One early letter describes the political turmoil of the country just prior to the Civil War; another midshipman describes marching in formation at Woodrow Wilson's inauguration.

Naval Institute Press, $29.95

Johns Hopkins University press has released volumes seven and eight of its ongoing series, *The Documentary History of the First Federal Congress of the United States of America, 4 March 1789–March 1791.* Volume seven, entitled *Petition Histories: Revolutionary War-Related Claims,* includes documents concerning compensation for military service and issues related to the dependent survivors of deceased soldiers. Volume eight, *Petition Histories and Nonlegislative Official Documents,* features the more than six hundred petitions presented to the First Congress. The petitions are instructive for what they reveal about the American people at the time: their concepts of justice, equity, civil rights, citizenship, and entitlement; their understanding of the Revolutionary War; and their ideas for economic growth and westward expansion.

The series was produced with the assistance of the National Historical Publications and Records Commission and George Washington University. The editors for the series are: Kenneth R. Bowling, William Charles DiGiacomantonio, and Charlene Bangs Bickford.

Johns Hopkins University Press, $75.00

A new volume, number 25, has been published in a series by the Library of Congress, *Letters of Delegates to Congress: 1774–1789, March 1, 1788–July 25, 1789.* The series, edited by Paul H. Smith, will extend to twenty-six volumes, and is projected for completion in 2000. The volumes include source annotations, a chronology of congressional activities, and a list of delegates to Congress.

The Library of Congress, $56.00

The Library of Virginia has released its first volume of the *Dictionary of Virginia Biography.* This 557-page historical reference text includes biographies of 477 Virginians. Edited by John T. Kneebone, J. Jefferson Looney, Brent Tarter, and Sandra Gioia Treadway, the *DVB* is "a multi-volume reference work intended for a broad audience, including teachers, students, librarians, historians, genealogists, and museum professionals. Entries include presidents, governors, members of the Continental Congress, and others who made substantial contributions. Each entry is followed by a concise bibliographical source note. The volume has an accompanying booklet, a *Classified Index of Biographies.*

The Library of Virginia, $49.95

D.B.S.

Notices

Annual College Undergraduate Essay Contest Announced

The Education Department of the Maryland Historical Society announces the annual College Undergraduate Essay Contest. Papers must concern a Maryland subject and make use of primary sources. The deadline for submissions is June 15, 1999. Please send entries to the Education Department, Maryland Historical Society, 201 W. Monument Street, Baltimore, MD, 21201. The winner will receive the $250 Eisenberg Essay Prize, which is funded by Gerson G. Eisenberg, local author, philanthropist, historian, and longtime member of the MHS School Programs Committee.

Maryland Sheep & Wool Festival

On Saturday, May 1 and Sunday, May 2, the Maryland Sheep & Wool Festival takes place at the Howard County Fairgrounds in West Friendship, Maryland. Activities on Saturday will run from 9:00 a.m. to 6:00 p.m, and on Sunday from 9:00 a.m to 5:00 p.m. The festival will feature a shearing contest and working sheep dog demonstrations. Also, there will be a "Sheep to Shawl" contest, in which teams will race to shear, spin, and weave wool into a garment within a three-hour time limit. For further information, contact Leslie Bauer at 410-531-3647, or write P.O. Box 99, Glenwood, MD, 21738.

Calendar of Events for Snow Hill Area

The Eleventh Annual Pocomoke River Canoe Challenge takes place on the Pocomoke River between Snow Hill and Shad Landing on May 15, beginning at 9:00 a.m. In addition, classes will be offered for kayaking and standard canoeing.

For further information or a list of events, contact Ms. Kathy Fisher, Executive Director of the Furnace Town Foundation, Inc., 410-632-2032, or write to P.O. Box 207, Snow Hill, MD, 21863.

D.B.S.

Maryland Picture Puzzle

This photograph was taken in Wicomico County circa 1910. Can you identify this building? The winter photograph depicted an 1895 view of Baltimore Street in Cumberland, Allegany County. Congratulations to Raymond and Percy Martin, James T. Wollon Jr., and Carlos P. Avery, who correctly identified the picture. Please send your answers to the Maryland Historical Magazine, 201 West Monument Street, Baltimore, Maryland, 21201.

Maryland Historical Magazine

Contributor's Guidelines

The editors welcome contributions that broaden knowledge and deepen understanding of Maryland history. The *MdHM* enjoys one of the largest readerships of any state historical magazine in the nation; over the years it has developed strong ties to the scholarly community. Despite the distance usually separating local and academic history, the magazine strives to bring together the "professional" and "popular"—to engage a broad audience while publishing the latest serious research on Maryland and the region.

We especially invite submissions that raise good questions, build on newly discovered or reexamined evidence, and make one's findings interesting and readable. We invite amateur historians to consider and make clear the significance of their work and remind scholars that they address not specialists alone but a wide, literate public.

MANUSCRIPTS. Please submit a dark, clear, typed or computer-printed manuscript, double-spaced on high quality, standard-sized (8 ½" x 11") white paper, leaving ample margins on all sides. Authors are invited to send floppy disks with printed copy. Please do not send faxed copies (particularly of book reviews). A stamped, self-addressed envelope will ensure the return of your submission. Because articles normally go to an outside referee for a blind evaluation, we ask that they arrive in duplicate, with the author's name on separate title pages.

Follow *The Chicago Manual of Style* (14th edition, 1993). For questions about spelling and hyphenation, consult *Miriam Webster's Collegiate Dictionary* (tenth edition, 1997).

QUOTATIONS. Quoted passages lend immediacy and poignancy to a manuscript and allow historical figures to use their own language. Lengthy quotes (best avoided where possible) should also be double-spaced, indented five spaces from the left margin. Ellipses or dots indicate omitted material within quotation marks—three within a sentence, four when the omission includes a period. Authors must double-check the accuracy of all quotations and obtain permission to quote from manuscripts and unpublished materials.

TRANSCRIPTIONS. Transcribing handwritten sources (letters, diaries, etc.) presents special problems. On the "expanded method," a set of guidelines that follow the text closely while making a few concessions to readability and good sense, see Oscar Handlin, et al., *The Harvard Guide to American History*, pp. 95–99, or William T. Hutchinson and William M. E. Rachal, eds., *The Papers of James Madison*, 1:xxxvi–vii.

TABLES, GRAPHS, CHARTS. Explanatory graphics should be numbered in Arabic numerals with any notes pertaining to it below (mark footnotes to tables with raised letters rather than numbers). Each must bear its own explanatory title and within it authors must double-check all arithmetic. References in the text should appear in parentheses within punctuation, e.g., (see Table 1).

ILLUSTRATIONS. We invite authors to suggest prints, photos, maps, etc. that illustrate their material and to provide copies when possible. With submissions one need only send photocopies of possible illustrations. Send captions and credits (or sources) for each illustration. Hand-drawn maps and free-hand lettering generally do not suffice.

ENDNOTES. Cardinal rules are clarity, consistency, and brevity. One should avoid gratuitous footnoting and if possible while remaining clear, *group citations by paragraph.* Indicate notes with a raised numeral in the text, outside of punctuation and quotation marks. Follow month-day-year format in notes (as well as text).

First citations must be complete. For later cites of books and journals, use sensible author-title short references (not the outdated and often-confusing op. cit.). Involved citations of archival materials may be abbreviated after the first, full reference to the collection. Underline published titles only.

Use Arabic numerals throughout, even for journal volume numbers. Where pagination within a journal runs consecutively by volume, one need not cite specific issues.

Where a note cites a single source immediately preceding it, use ibid. (we no longer underline this Latin abbreviation; because it means "in the same place," refrain from "in ibid.").

In newspaper titles, italicize place name, as in *Baltimore Sun* (see below). Page references generally are unnecessary in newspaper citations.

Cite manuscript collections as fully as librarians at each repository request. Citations of Maryland Historical Society holdings must include collection and box numbers; abbreviate MdHS.

Check the *Chicago Manual* for standard, clear citations of official publications and records.

PROOFS. Authors take primary responsibility for the logic, tightness, and accuracy of their work, but preparing a manuscript for publication is usually a collaborative effort between editors and contributors. Every submission requires a close reading that may entail some revisions in style and content. Final drafts must undergo copyediting. Before a piece goes to the press, the editor will send authors page proofs for final examination and proofreading. A Publishing Agreement will accompany the page proofs for the author's signature.

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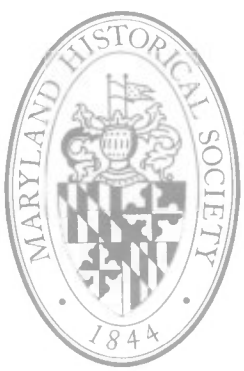
Letters to the Editor are welcome. Letters should be as brief as possible. Address Editor's Mail, *Maryland Historical Magazine,* 201 West Monument Street, Baltimore, Maryland, 21201. Include name, address, and daytime telephone number. Letters may be edited for clarity and space.

The *Maryland Historical Magazine* welcomes submissions from authors. All articles will be acknowledged, but only those accompanied by a stamped, self-addressed envelope will be returned. Submissions should be printed or typed manuscript. Once accepted, articles should be on 3.5-inch (preferably) or 5.25-inch disks for IBM (or compatible) PCs or Macintosh. Preferred word-processing programs are Wordperfect or Microsoft Word. Guidelines for contributors are available on our Web site at http:\\www.mdhs.org.

In this issue . . .



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